

House File 2423 - Reprinted

HOUSE FILE 2423
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 643)

(As Amended and Passed by the House March 5, 2014)

A BILL FOR

1 An Act relating to statutory corrections which may adjust
2 language to reflect current practices, insert earlier
3 omissions, delete redundancies and inaccuracies, delete
4 temporary language, resolve inconsistencies and conflicts,
5 update ongoing provisions, or remove ambiguities and
6 providing effective and applicability dates.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

MISCELLANEOUS CHANGES

Section 1. Section 2C.16, subsection 3, Code 2014, is amended to read as follows:

3. If the ombudsman believes that a law resulted in an administrative action ~~has occurred because of laws of which results are~~ is unfair or otherwise objectionable, the ombudsman shall notify the general assembly concerning desirable statutory change.

Sec. 2. Section 6B.4, Code 2014, is amended to read as follows:

6B.4 Commission to assess damages.

1. Annually the board of supervisors of a county shall appoint not less than twenty-eight residents of the county and the names of such persons shall be placed on a list and they shall be eligible to serve as members of a compensation commission. One-fourth of the persons appointed shall be owner-operators of agricultural property, one-fourth of the persons appointed shall be owners of city property, one-fourth shall be licensed real estate salespersons or real estate brokers, and one-fourth shall be persons having knowledge of property values in the county by reason of their occupation, such as bankers, auctioneers, property managers, property appraisers, and persons responsible for making loans on property.

2. a. The chief judge of the judicial district or the chief judge's designee shall select by lot six persons from the list, ~~two~~ who shall constitute a compensation commission to assess the damages to all property to be taken by the applicant and located in the county, as follows:

(1) Two persons who are owner-operators of agricultural property when the property to be condemned is agricultural property; ~~two.~~

(2) Two persons who are owners of city property when the property to be condemned is other than agricultural property;

1 ~~and two.~~

2 (3) Two persons from each of the remaining two
3 representative groups, ~~who shall constitute a compensation~~
4 ~~commission to assess the damages to all property to be taken~~
5 ~~by the applicant and located in the county, and shall name a~~
6 ~~chairperson from the persons selected.~~

7 b. The chief judge or the judge's designee shall name a
8 chairperson from the persons selected and may appoint such
9 alternate members and chairpersons to the commission as are
10 deemed necessary and appropriate under the circumstances. A
11 person shall not be selected as a member or alternate member
12 of the compensation commission if the person possesses any
13 interest in the proceeding which would cause the person to
14 render a biased decision. The applicant shall mail a copy
15 of the list of commissioners and alternates appointed by the
16 chief judge by certified mail to the property owner at the
17 owner's last known address. The applicant shall also cause
18 the list of commissioners and alternates to be published once
19 in a newspaper of general circulation in the county, not less
20 than four nor more than twenty days before the meeting of
21 the compensation commission to assess the damages. Service
22 of the list of commissioners and alternates by publication
23 shall be deemed complete on the day of publication. In
24 lieu of mailing and publishing the list of commissioners and
25 alternates, the applicant may cause the list to be served upon
26 the owner of the property in the manner provided by the Iowa
27 rules of civil procedure for the personal service of original
28 notice. The list of commissioners and alternates shall be
29 mailed and published or served, as above provided, prior to or
30 contemporaneously with service of the notice of assessment as
31 provided in section 6B.8.

32 3. Written instructions for members of compensation
33 commissions shall be prepared under the direction of the chief
34 justice of the supreme court and distributed to the sheriff
35 in each county. The sheriff shall transmit copies of the

1 instructions to each member of a compensation commission, and
2 such instructions shall be read aloud to each commission before
3 it commences its duties.

4 Sec. 3. Section 6B.37, Code 2014, is amended to read as
5 follows:

6 **6B.37 Form of record — certificate.**

7 ~~Said~~ The papers described in sections 6B.35 and 6B.36 shall
8 be securely fastened together, arranged in the order named
9 ~~above in those sections~~, and be accompanied by a certificate
10 of the officer filing the papers that the papers are true and
11 correct copies of the original files in the proceedings and
12 that the statements accompanying the papers are true.

13 Sec. 4. Section 6B.40, Code 2014, is amended to read as
14 follows:

15 **6B.40 Failure to record — liability.**

16 Any sheriff, or clerk of the district court, as the case may
17 be, who fails to present ~~said~~ the required papers, statements,
18 and certificate for record, and any recorder who fails to
19 record the same as ~~above~~ provided in section 6B.38 shall be
20 liable for all damages caused by such failure.

21 Sec. 5. Section 7C.12, subsection 2, paragraph a, Code 2014,
22 is amended to read as follows:

23 a. Shall promulgate rules which are necessary or expedient
24 to carry out the intent and purposes of ~~the private activity~~
25 ~~bond allocation Act~~ this chapter.

26 Sec. 6. Section 9I.3, subsection 3, paragraph d,
27 subparagraphs (5) and (6), Code 2014, are amended to read as
28 follows:

29 ~~(5) Reserved.~~

30 ~~(6)~~ (5) Effective July 1, 2001, a nonresident alien,
31 foreign business, or foreign government or an agent, trustee,
32 or fiduciary of the alien, business, or government shall
33 not, ~~except as provided in subparagraph (5),~~ acquire or hold
34 agricultural land used for the primary purpose of testing,
35 developing, or producing animals.

1 Sec. 7. Section 12C.16, subsection 1, paragraph b,
2 subparagraph (1), subparagraph division (d), Code 2014, is
3 amended to read as follows:

4 (d) To the extent of the guarantee, loans, obligations,
5 or nontransferable letters of credit upon which the payment
6 of principal and interest is fully secured or guaranteed by
7 the United States of America or an agency or instrumentality
8 of the United States of America ~~or the United States central~~
9 ~~credit union~~, a corporate central credit union organized
10 under section 533.213, or a corporate credit union whose
11 activities are subject to regulation by the national credit
12 union administration, and the rating of any one of such credit
13 unions remains within the two highest classifications of prime
14 established by at least one of the standard rating services
15 approved by the superintendent of banking by rule pursuant to
16 chapter 17A. The treasurer of state shall adopt rules pursuant
17 to chapter 17A to implement this section.

18 Sec. 8. Section 12C.17, subsection 1, paragraph c, Code
19 2014, is amended to read as follows:

20 c. The securities shall be deposited with the federal
21 reserve bank, the federal home loan bank of Des Moines, Iowa,
22 ~~or the United States central credit union~~, a corporate central
23 credit union organized under section 533.213, or a corporate
24 credit union whose activities are subject to regulation by the
25 national credit union administration pursuant to a bailment
26 agreement or a pledge custody agreement.

27 Sec. 9. Section 12C.17, subsection 4, Code 2014, is amended
28 to read as follows:

29 4. Upon written request from the appropriate public
30 officer but not less than monthly, the federal reserve bank,
31 the federal home loan bank of Des Moines, Iowa, ~~the United~~
32 ~~States central credit union~~, a corporate central credit union
33 organized under section 533.213, or a corporate credit union
34 whose activities are subject to regulation by the national
35 credit union administration shall report a description, the

1 par value, and the market value of any pledged collateral by a
2 credit union.

3 Sec. 10. Section 16.2, subsection 1, unnumbered paragraph
4 1, Code 2014, is amended to read as follows:

5 An Iowa finance authority board of directors is created. The
6 powers of the authority are vested in and shall be exercised by
7 the board. The ~~board~~ authority includes nine members appointed
8 by the governor subject to confirmation by the senate.

9 Sec. 11. Section 16.197, Code 2014, is amended to read as
10 follows:

11 **16.197 Limitation of liability.**

12 The A member of the authority, a person acting on behalf of
13 the authority while acting within the scope of their employment
14 or agency, or the treasurer of state shall not be subject to
15 personal liability resulting from carrying out the powers and
16 duties of the authority or the treasurer, as applicable, in
17 sections 16.193 through 16.196.

18 Sec. 12. Section 16.221, subsection 3, paragraph c, Code
19 2014, is amended to read as follows:

20 c. Obtain affordable operating capital, ~~including as~~
21 ~~provided by section 175.35.~~

22 Sec. 13. Section 17A.4, subsection 3, paragraph c, Code
23 2014, is amended to read as follows:

24 c. If an objection to a rule is filed under this subsection,
25 a copy of the objection, properly dated, shall be forwarded to
26 the agency at the time of filing the objection. In any action
27 contesting a rule or portion of a rule adopted pursuant to
28 this subsection, the burden of proof shall be on the agency to
29 show that the procedures of subsection 1 were impracticable,
30 unnecessary, or contrary to the public interest ~~and that, if a~~
31 ~~category of rules was involved, the category was very narrowly~~
32 ~~tailored.~~

33 Sec. 14. Section 17A.4, subsection 5, Code 2014, is amended
34 to read as follows:

35 5. ~~No A rule adopted after July 1, 1975,~~ is not valid unless

1 adopted in substantial compliance with the ~~above~~ requirements
2 of this section that are in effect at the time of adoption of
3 the rule. However, a rule shall be conclusively presumed to
4 have been made in compliance with all of the ~~above~~ procedural
5 requirements of this section if it has not been invalidated on
6 the grounds of noncompliance in a proceeding commenced within
7 two years after its effective date.

8 Sec. 15. Section 17A.4, subsection 9, Code 2014, is amended
9 to read as follows:

10 9. Upon the vote of two-thirds of its members, the
11 administrative rules review committee, following notice of
12 intended action as provided in subsection 1 and prior to
13 adoption of a rule pursuant to that notice, may suspend further
14 action relating to that notice for seventy days. Notice ~~of~~
15 that a notice of intended action ~~that~~ was suspended under this
16 provision shall be published in the Iowa administrative code
17 and bulletin.

18 Sec. 16. Section 23.6, subsection 6, Code 2014, is amended
19 to read as follows:

20 6. ~~The board may examine~~ Examine, as deemed necessary by
21 the board, a record of a governmental body or a government body
22 that is the subject matter of a complaint, including any record
23 that is confidential by law. Confidential records provided to
24 the board by a governmental body or a government body shall
25 continue to maintain their confidential status. Any member
26 or employee of the board is subject to the same policies and
27 penalties regarding the confidentiality of the document as an
28 employee of the governmental body or a the government body.

29 Sec. 17. Section 23.9, Code 2014, is amended to read as
30 follows:

31 **23.9 Informal assistance.**

32 After accepting a complaint, the board shall promptly work
33 with the parties, through employees ~~on its own staff of the~~
34 board, to reach an informal, expeditious resolution of the
35 complaint.

1 Sec. 18. Section 24.13, Code 2014, is amended to read as
2 follows:

3 **24.13 Procedure by levying board.**

4 Any board which has the power to levy a tax without the same
5 first being certified to it, shall follow the same procedure
6 for hearings as is ~~hereinbefore~~ required of certifying boards
7 under this chapter.

8 Sec. 19. Section 28D.6, subsection 4, Code 2014, is amended
9 to read as follows:

10 4. Any employee of a sending agency assigned in this
11 state who suffers disability or death as a result of personal
12 injury arising out of and in the course of such assignment, or
13 sustained in the performance of duties in connection therewith,
14 shall be treated for the purpose of the receiving agency's
15 employee compensation program, as an employee, as defined in
16 such compensation program, who has sustained such injury in the
17 performance of such duty, but shall not receive benefits under
18 that compensation program for any period for which the employee
19 elects to receive similar benefits as an employee under the
20 sending agency's employee compensation program.

21 Sec. 20. Section 29A.50, Code 2014, is amended to read as
22 follows:

23 **29A.50 Immunity.**

24 The commanding officer and members of any of the military
25 forces engaged in the suppression of an insurrection,
26 assistance to civil authorities in emergencies, homeland
27 defense, or security duties, or the enforcement of the laws,
28 shall have the same immunity as peace officers.

29 Sec. 21. Section 35D.2, subsection 1, Code 2014, is amended
30 to read as follows:

31 1. Persons described in section 35D.1 who are disabled by
32 disease, injury, or old age, and who meet the qualifications
33 for nursing or residential care, and who are unable to earn a
34 livelihood, and who are residents of the state of Iowa on the
35 date of the application and immediately preceding the date the

1 application is accepted, may be admitted to the home as members
2 under rules adopted by the commission. The commission shall
3 adopt rules to emphasize the admission of homeless honorably
4 discharged veterans. Eligibility determinations are subject
5 to approval by the commandant.

6 Sec. 22. Section 80D.12, subsection 2, Code 2014, is amended
7 to read as follows:

8 2. For reserve ~~police~~ peace officers of a tribal government,
9 hospital and medical assistance and benefits shall be provided
10 by the tribal government to members of the reserve force who
11 sustain injury while performing official duties in the same
12 manner as for a regular peace officer of the tribal government.

13 Sec. 23. Section 89.3, subsection 8, Code 2014, is amended
14 to read as follows:

15 8. Inspections of unfired steam pressure vessels operating
16 in excess of fifteen pounds per square inch and low pressure
17 steam boilers shall be conducted at least once each calendar
18 year. The inspections conducted ~~over~~ within each two-year
19 period shall include an external inspection conducted while
20 the boiler is operating and an internal inspection, where
21 construction permits. No more than one inspection shall be
22 conducted ~~over~~ a per six-month period. An internal inspection
23 of an unfired steam pressure vessel or low pressure steam
24 boiler may be required at any time by the commissioner upon the
25 observation by an inspector of conditions, enumerated by the
26 commissioner through rules, warranting an internal inspection.

27 Sec. 24. Section 101.21, subsection 1, paragraph a, Code
28 2014, is amended to read as follows:

29 a. An aboveground tank which ~~complies with~~ meets any of the
30 following criteria:

31 (1) Has one thousand one hundred gallons or less capacity.

32 (2) Stores flammable liquids on a farm located outside the
33 limits of a city, if the aboveground tank has two thousand
34 gallons or less capacity.

35 (3) Stores combustible liquids on a farm located outside

1 the limits of a city, if the aboveground tank has five thousand
2 gallons or less capacity.

3 Sec. 25. Section 101A.2, subsection 4, Code 2014, is amended
4 to read as follows:

5 4. Except as permitted in section 101A.3 and sections
6 101A.9 ~~to~~ through 101A.11, it shall be unlawful for any person
7 to willfully manufacture, import, store, detonate, sell, or
8 otherwise transfer any explosive materials unless such person
9 is the holder of a valid license issued pursuant to this
10 section.

11 Sec. 26. Section 105.10, subsection 2, Code 2014, is amended
12 to read as follows:

13 2. Except as provided in section 105.11, a person shall not
14 engage in the business of designing, installing, or repairing
15 plumbing, mechanical, HVAC, refrigeration, sheet metal, or
16 hydronic systems unless at all times a licensed master, who
17 shall be responsible for the proper designing, installing, and
18 repairing of the plumbing, HVAC, refrigeration, sheet metal,
19 or hydronic system, is employed by the person and is actively
20 in charge of the plumbing, mechanical, HVAC, refrigeration,
21 sheet metal, or hydronic work of the person. An individual who
22 performs such work pursuant to a business operated as a sole
23 proprietorship shall be a licensed master in the applicable
24 discipline.

25 Sec. 27. Section 123.3, subsection 5, Code 2014, is amended
26 to read as follows:

27 5. "*Alcoholic liquor*" or "*intoxicating liquor*" means the
28 varieties of liquor defined in subsections 3 and 43 which
29 contain more than five percent of alcohol by weight, beverages
30 made as described in subsection 7 which beverages contain more
31 than five percent of alcohol by weight or six and twenty-five
32 hundredths percent of alcohol by volume but which are not
33 wine as defined in subsection 47 or high alcoholic content
34 beer as defined in subsection 19, and every other liquid or
35 solid, patented or not, containing spirits and every beverage

1 obtained by the process described in subsection 47 containing
 2 more than seventeen percent alcohol by weight or twenty-one
 3 and twenty-five hundredths percent of alcohol by volume, and
 4 susceptible of being consumed by a human being, for beverage
 5 purposes. Alcohol manufactured in this state for use as fuel
 6 pursuant to an experimental distilled spirits plant permit or
 7 its equivalent issued by the federal bureau of alcohol, tobacco
 8 and firearms is not an "*alcoholic liquor*".

9 Sec. 28. Section 123.30, subsection 1, paragraph b, Code
 10 2014, is amended to read as follows:

11 b. As a condition for issuance of a liquor control license
 12 or wine or beer permit, the applicant must give consent to
 13 members of the fire, police, and health departments and the
 14 building inspector of cities; the county sheriff, or deputy
 15 sheriff; members of the department of public safety; and
 16 representatives of the division and of the department of
 17 inspections and appeals; and certified police officers; and
 18 any official county health officer to enter upon areas of
 19 the premises where alcoholic beverages are stored, served,
 20 or sold, without a warrant during business hours of the
 21 licensee or permittee to inspect for violations of this
 22 chapter or ordinances and regulations that cities and boards
 23 of supervisors may adopt. However, a subpoena issued under
 24 section 421.17 or a warrant is required for inspection of
 25 private records, a private business office, or attached living
 26 quarters. Persons who are not certified peace officers shall
 27 limit the scope of their inspections of licensed premises
 28 to the regulatory authority under which the inspection is
 29 conducted. All persons who enter upon a licensed premises to
 30 conduct an inspection shall present appropriate identification
 31 to the owner of the establishment or the person who appears
 32 to be in charge of the establishment prior to commencing
 33 an inspection; however, this provision does not apply to
 34 undercover criminal investigations conducted by peace officers.

35 Sec. 29. Section 123.138, subsection 1, Code 2014, is

1 amended to read as follows:

2 1. Each class "A" or special class "A" permittee shall
3 keep proper records showing the amount of beer sold by the
4 permittee, and these records shall be at all times open to
5 inspection by the administrator and to other persons pursuant
6 to section 123.30, subsection 1. Each class "B" permittee,
7 class "C" permittee, ~~and~~ or retail liquor control licensee
8 shall keep proper records showing each purchase of beer made
9 by the permittee ~~and~~ or licensee, and the date and the amount
10 of each purchase and the name of the person from whom each
11 purchase was made, which records shall be open to inspection
12 pursuant to section 123.30, subsection 1, during normal
13 business hours of the permittee or licensee.

14 Sec. 30. Section 125.10, subsection 16, Code 2014, is
15 amended to read as follows:

16 16. Encourage all health and disability insurance programs
17 to include ~~substance abuse~~ substance-related disorders as a
18 covered ~~illness~~ illnesses.

19 Sec. 31. Section 135C.41, Code 2014, is amended to read as
20 follows:

21 **135C.41 Licensee's response to citation.**

22 Within twenty business days after service of a citation
23 under section 135C.40, a facility shall ~~either~~ do one of the
24 following:

25 1. If ~~it~~ the facility does not desire to contest the
26 citation, take one of the following actions:

27 a. Remit to the department the amount specified by the
28 department pursuant to section 135C.36 as a penalty for each
29 Class I violation cited, and for each Class II violation unless
30 the citation specifically waives the penalty, which funds shall
31 be paid by the department into the state treasury and credited
32 to the general fund, ~~or~~.

33 b. In the case of a Class II violation for which the penalty
34 has been waived in accordance with the standards prescribed in
35 section 135C.36, subsection 2, or a Class III violation, send

1 to the department a written response acknowledging that the
2 citation has been received and stating that the violation will
3 be corrected within the specific period of time allowed by the
4 citation;~~or.~~

5 2. ~~Notify~~ If the facility desires to contest the citation,
6 notify the director that the facility desires to contest the
7 citation and request an informal conference with an independent
8 reviewer pursuant to section 135C.42.

9 Sec. 32. Section 144A.2, subsection 8, paragraph b, Code
10 2014, is amended to read as follows:

11 b. "*Life-sustaining procedure*" does not include the
12 provision of nutrition or hydration except when required
13 to be provided parenterally or through intubation, or the
14 administration of medication or performance of any medical
15 procedure deemed necessary to provide comfort care or to
16 alleviate pain.

17 Sec. 33. Section 172A.10, Code 2014, is amended to read as
18 follows:

19 **172A.10 Injunctions — criminal penalties.**

20 1. If any person who is required by this chapter to be
21 licensed fails to obtain the required license, or if any person
22 who is required by this chapter to maintain proof of financial
23 responsibility fails to obtain or maintain such proof, or
24 if any licensee fails to discontinue engaging in licensed
25 activities when that person's license has been suspended, such
26 failure shall be deemed a nuisance and the secretary may bring
27 an action on behalf of the state to enjoin such nuisance. Such
28 actions may be heard on not less than five days' notice to the
29 person whose activities are sought to be enjoined. The failure
30 to obtain a license when required, or the failure to maintain
31 proof of financial responsibility shall constitute a violation
32 of this chapter.

33 2. Any person convicted of violating any provision of this
34 chapter shall be guilty of a serious misdemeanor.

35 Sec. 34. Section 175.31, Code 2014, is amended to read as

1 follows:

2 **175.31 Programs in progress.**

3 The authority shall complete the administration of programs
4 in progress on July 1, 1980, to the extent that funds were
5 committed, obligations incurred or rights accrued prior to July
6 1, 1980, under the programs authorized under sections 234.15
7 to 234.20, ~~prior to the repeal of those sections~~ Code 1979.
8 Moneys received under this section shall be deposited to the
9 authority.

10 Sec. 35. Section 175.37, subsection 4, unnumbered paragraph
11 1, Code 2014, is amended to read as follows:

12 The tax credit is allowed only for agricultural assets that
13 are subject to an agricultural assets transfer agreement. The
14 agreement shall provide for the lease of agricultural land
15 located in this state, including any improvements, and may
16 provide for the rental of agricultural equipment as defined in
17 section 322F.1.

18 Sec. 36. Section 203.10, subsection 2, Code 2014, is amended
19 to read as follows:

20 2. The department may issue an order to suspend or revoke
21 the license of a grain dealer who violates a provision of this
22 chapter, including a rule adopted in accordance with this
23 chapter, pursuant to chapter 17A.

24 Sec. 37. Section 203C.10, subsection 2, Code 2014, is
25 amended to read as follows:

26 2. The department may issue an order to suspend or revoke
27 the license of a warehouse operator who violates a provision of
28 this chapter, including a rule adopted in accordance with this
29 chapter, pursuant to chapter 17A.

30 Sec. 38. Section 203C.15, subsection 10, paragraph d, Code
31 2014, is amended to read as follows:

32 d. Warehouse operators who are the owners of bulk grain.

33 Sec. 39. Section 206.2, subsection 1, unnumbered paragraph
34 1, Code 2014, is amended to read as follows:

35 ~~The term "active ingredient"~~ "Active ingredient" means:

1 Sec. 40. Section 206.2, subsections 2, 3, 10, 11, 13, and
2 14, Code 2014, are amended to read as follows:

3 2. ~~The term "adulterated"~~ "Adulterated" shall apply to any
4 pesticide if its strength or purity falls below the professed
5 standard or quality as expressed on labeling or under which it
6 is sold, or if any substance has been substituted wholly or in
7 part for the article, or if any valuable constituent of the
8 article has been wholly or in part abstracted.

9 3. ~~The term "antidote"~~ "Antidote" means the most practical
10 immediate treatment in case of poisoning and includes first aid
11 treatment.

12 10. ~~The term "device"~~ "Device" means any instrument or
13 contrivance intended for trapping, destroying, repelling, or
14 mitigating insects, birds, or rodents or destroying, repelling,
15 or mitigating fungi, nematodes, weeds, or such other pests as
16 may be designated by the secretary, but not including equipment
17 used for the application of pesticides when sold separately
18 therefrom.

19 11. ~~The term "distribute"~~ "Distribute" means to offer for
20 sale, hold for sale, sell, barter, or supply pesticides in this
21 state.

22 13. ~~The term "hazard"~~ "Hazard" means a probability that
23 a given pesticide will have an adverse effect on man or the
24 environment in a given situation, the relative likelihood
25 of danger or ill effect being dependent on a number of
26 interrelated factors present at any given time.

27 14. ~~The term "inert ingredient"~~ "Inert ingredient" means an
28 ingredient which is not an active ingredient.

29 Sec. 41. Section 206.2, subsection 15, unnumbered paragraph
30 1, Code 2014, is amended to read as follows:

31 ~~The term "ingredient statement"~~ "Ingredient statement" means
32 either:

33 Sec. 42. Section 206.2, subsection 16, Code 2014, is amended
34 to read as follows:

35 16. ~~The term "label"~~ "Label" means the written, printed,

1 or graphic matter on, or attached to, the pesticide or device,
2 or the immediate container thereof, and the outside container
3 or wrapper of the retail package, if any there be, of the
4 pesticide or device.

5 Sec. 43. Section 206.2, subsection 17, unnumbered paragraph
6 1, Code 2014, is amended to read as follows:

7 ~~The term "labeling"~~ "Labeling" means all labels and other
8 written, printed, or graphic matter:

9 Sec. 44. Section 206.2, subsection 18, unnumbered paragraph
10 1, Code 2014, is amended to read as follows:

11 ~~The term "misbranded"~~ "Misbranded" shall apply:

12 Sec. 45. Section 206.2, subsections 19, 20, 21, 22, 23, 26,
13 27, 30, and 31, Code 2014, are amended to read as follows:

14 19. ~~The term "permit"~~ "Permit" means a written certificate,
15 issued by the secretary or the secretary's agent under rules
16 adopted by the department authorizing the use of certain state
17 restricted use pesticides.

18 20. ~~The term "person"~~ "Person" means any individual,
19 partnership, association, corporation, or organized group of
20 persons whether incorporated or not.

21 21. ~~The term "pesticide" shall mean (a) any~~ "Pesticide"
22 means any of the following:

23 a. Any substance or mixture of substances intended for
24 preventing, destroying, repelling, or mitigating directly or
25 indirectly any insects, rodents, nematodes, fungi, weeds, and
26 other forms of plant or animal life or viruses, except viruses
27 on or in living persons, which the secretary shall declare to
28 be a pest, ~~and (b) any.~~

29 b. Any substances intended for use as a plant growth
30 regulator, defoliant, or desiccant.

31 22. ~~The term "pesticide dealer"~~ "Pesticide dealer" means any
32 person who distributes restricted use pesticides, pesticide
33 for use by commercial or public pesticide applicators, or
34 general use pesticides labeled for agricultural or lawn and
35 garden use with the exception of dealers whose gross annual

1 pesticide sales are less than ten thousand dollars for each
2 business location owned or operated by the dealer.

3 23. ~~The term "plant growth regulator"~~ "Plant growth
4 regulator" means any substance or mixture of substances
5 intended, through physiological action, for accelerating or
6 retarding the rate of growth or rate of maturation, or for
7 otherwise altering the behavior of ornamental or crop plants
8 or the produce thereof, but shall not include substances to
9 the extent that they are intended as plant nutrients, trace
10 elements, nutritional chemicals, plant inoculants, and soil
11 amendments.

12 26. ~~The term "registrant"~~ "Registrant" means the person
13 registering any pesticide or device or who has obtained a
14 certificate of license from the department pursuant to the
15 provisions of this chapter.

16 27. ~~The term "restricted use pesticide"~~ "Restricted use
17 pesticide" means any pesticide restricted as to use by rule of
18 the secretary as adopted under section 206.20.

19 30. ~~The term "under the direct supervision of"~~ "Under the
20 direct supervision of" means the act or process whereby the
21 application of a pesticide is made by a competent person acting
22 under the instructions and control of a certified applicator
23 or a state licensed commercial applicator who is available
24 if and when needed, even though such certified applicator is
25 not physically present at the time and place the pesticide is
26 applied.

27 31. ~~The term "unreasonable adverse effects on the~~
28 ~~environment"~~ "Unreasonable adverse effects on the environment"
29 means any unreasonable risk to man or the environment, taking
30 into account the economic, social, and environmental costs and
31 benefits of the use of any pesticide.

32 Sec. 46. Section 216A.2, subsection 2, Code 2014, is amended
33 to read as follows:

34 2. The department director is the chief administrative
35 officer of the department and in that capacity administers

1 the programs and services of the department in compliance
2 with applicable federal and state laws and regulations.
3 The duties of the department director include preparing a
4 budget, establishing an internal administrative structure, and
5 employing personnel.

6 Sec. 47. Section 230.2, Code 2014, is amended to read as
7 follows:

8 **230.2 Finding of residence.**

9 If a person's residency status is disputed, the residency
10 shall be determined in accordance with section 331.394.
11 Otherwise, the district court may, when the person is
12 ordered placed in a hospital for psychiatric examination and
13 appropriate treatment, or as soon thereafter as the court
14 obtains the proper information, ~~determine~~ make one of the
15 following determinations and enter of record whether the
16 residence of the person is in a county or the person is deemed
17 to be a state case, as follows:

18 1. ~~In~~ That the person's residence is in the county from
19 which the person was placed in the hospital.

20 2. ~~In~~ That the person's residence is in another county of
21 the state.

22 3. ~~In~~ That the person's residence is in a foreign state or
23 country and the person is deemed to be a state case.

24 4. ~~Unknown~~ That the person's residence is unknown and the
25 person is deemed to be a state case.

26 Sec. 48. Section 230.11, Code 2014, is amended to read as
27 follows:

28 **230.11 Recovery of costs from state.**

29 Costs and expenses attending the taking into custody,
30 care, and investigation of a person who has been admitted
31 or committed to a state hospital, United States department
32 of veterans affairs hospital, or other agency of the United
33 States government, for persons with mental illness and who
34 has no residence in this state or whose residence is unknown,
35 including cost of commitment, if any, shall be paid as a state

1 case as approved by the administrator. The amount of the costs
2 and expenses approved by the administrator is appropriated
3 to the department from any money in the state treasury not
4 otherwise appropriated~~7~~. Payment shall be made on itemized
5 vouchers executed by the auditor of the county which has paid
6 them, and approved by the administrator.

7 Sec. 49. Section 230.34, Code 2014, is amended to read as
8 follows:

9 **230.34 Definitions.**

10 As used in this chapter, unless the context otherwise
11 requires:

12 1. ~~As used in this chapter, "administrator"~~ "Administrator"
13 means the administrator of the department of human services
14 assigned, in accordance with section 218.1, to control the
15 state mental health institutes, or that administrator's
16 designee.

17 2. ~~As used in this chapter, "auditor"~~ "Auditor" means the
18 county auditor or the auditor's designee.

19 3. ~~As used in this chapter, unless the context otherwise~~
20 ~~requires, "book"~~ "Book", "list", "record", or "schedule" kept
21 by a county auditor, assessor, treasurer, recorder, sheriff,
22 or other county officer means the county system as defined in
23 section 445.1.

24 4. ~~As used in this chapter, unless the context otherwise~~
25 ~~requires, "department"~~ "Department" means the department of
26 human services.

27 Sec. 50. Section 232.80, Code 2014, is amended to read as
28 follows:

29 **232.80 Homemaker services.**

30 A homemaker-home health aide may be assigned to give care to
31 a child in the child's place of residence. Whenever possible,
32 the services shall be provided in preference to removal of
33 the child from the home. The care may be provided under this
34 ~~Act~~ chapter on an emergency basis for up to twenty-four hours
35 without court order, and may be ordered by the court for a

1 period of time extending until dismissal or disposition of the
2 case.

3 Sec. 51. Section 232.90, subsection 4, Code 2014, is amended
4 to read as follows:

5 4. The county attorney and the attorney general shall comply
6 with the requirements of chapter 232B and the federal Indian
7 Child Welfare Act, Pub. L. No. 95-608, when either chapter 232B
8 or the federal Indian Child Welfare Act is determined to be
9 applicable in any proceeding under this division.

10 Sec. 52. Section 232.102, subsection 3, Code 2014, is
11 amended to read as follows:

12 3. After a dispositional hearing and upon written
13 findings of fact based upon evidence in the record that an
14 alternative placement set forth in subsection 1, paragraph
15 "a", subparagraph (1), has previously been made and is not
16 appropriate the court may enter an order transferring the
17 guardianship of the child for the purposes of subsection 8 9,
18 to the director of human services for the purposes of placement
19 in the Iowa juvenile home at Toledo.

20 Sec. 53. Section 249A.47, subsection 1, paragraph h, Code
21 2014, is amended to read as follows:

22 h. A provider who intentionally and purposefully and without
23 good cause fails to grant timely access, upon reasonable
24 request ~~and without good cause~~, to the department for the
25 purpose of audits, investigations, evaluations, or other
26 functions of the department, is subject to a civil penalty of
27 fifteen thousand dollars for each day of the failure.

28 Sec. 54. Section 252.27, unnumbered paragraph 2, Code 2014,
29 is amended to read as follows:

30 The board shall record its proceedings relating to the
31 provision of assistance to specific persons under this chapter.
32 A person who is aggrieved by a decision of the board may appeal
33 the decision as if it were a contested case before an agency
34 and as if the person had exhausted administrative remedies in
35 accordance with the procedures and standards in section 17A.19,

1 subsections ~~2 to~~ through 12, except section 17A.19, subsection
2 10, paragraphs "b" and "g", and section 17A.20.

3 Sec. 55. Section 252.37, Code 2014, is amended to read as
4 follows:

5 **252.37 Appeal to supervisors.**

6 If a poor person, on application to the general assistance
7 director, is refused the required assistance, the applicant may
8 appeal to the board of supervisors, who, upon examination into
9 the matter, may order the director to provide assistance, or ~~it~~
10 who may direct specific assistance.

11 Sec. 56. Section 256.7, subsection 26, paragraph a,
12 subparagraph (3), Code 2014, is amended to read as follows:

13 (3) The rules establishing a core curriculum shall address
14 the core content standards in subsection 28 and the skills and
15 knowledge students need to be successful in the twenty-first
16 century. The core curriculum shall include social studies and
17 twenty-first century learning skills which include but are
18 not limited to civic literacy, health literacy, technology
19 literacy, financial literacy, and employability skills; and
20 shall address the curricular needs of students in kindergarten
21 through grade twelve in those areas. ~~The department~~ state
22 board shall further define the twenty-first century learning
23 skills components by rule.

24 Sec. 57. Section 256.42, subsection 4, Code 2014, is amended
25 to read as follows:

26 4. Each participating school district and accredited
27 nonpublic school shall submit its online curricula to the
28 department for review. Each participating school district and
29 accredited nonpublic school shall include in its comprehensive
30 school improvement plan submitted pursuant to section 256.7,
31 subsection 21, a list and description of the online coursework
32 offered by the district or school.

33 Sec. 58. Section 258.6, Code 2014, is amended to read as
34 follows:

35 **258.6 Definitions.**

1 As used in this chapter:

2 1. "Approved practitioner preparation school, department,
3 or class" means a school, department, or class approved by the
4 board as entitled under this chapter to federal moneys for the
5 training of teachers of vocational subjects.

6 2. "Approved school, department, or class" means a school,
7 department, or class approved by the board as entitled under
8 this chapter to federal and state moneys for the salaries and
9 authorized travel of teachers of vocational subjects. ~~"Approved~~
10 ~~practitioner preparation school, department, or class"~~ means a
11 school, department, or class approved by the board as entitled
12 under this chapter to federal moneys for the training of
13 teachers of vocational subjects.

14 Sec. 59. Section 258.12, Code 2014, is amended to read as
15 follows:

16 **258.12 Custodian of funds.**

17 The treasurer of state shall be custodian of the funds
18 paid to the state from the appropriations made under ~~said the~~
19 federal Carl D. Perkins Vocational and Technical Education Act
20 ~~of Congress of 1998~~, and shall disburse the same on vouchers
21 audited as provided by law.

22 Sec. 60. Section 278.3, Code 2014, is amended to read as
23 follows:

24 **278.3 Power given electors not to limit directors' power.**

25 The power vested in the electors by section 278.1 shall not
26 affect or limit the power granted to the board of directors
27 of a school district in section 297.7, subsection 2, and the
28 authority granted in ~~said section 297.7~~, subsection 2, shall be
29 construed as independent of the power vested in the electors
30 by section 278.1.

31 Sec. 61. Section 283A.1, unnumbered paragraph 1, Code 2014,
32 is amended to read as follows:

33 For the purpose of this chapter, unless the context
34 otherwise requires:

35 Sec. 62. Section 297.30, Code 2014, is amended to read as

1 follows:

2 **297.30 Public sale.**

3 If the owner of the tract from which said site was taken
4 fails to pay the amount of such appraisement to ~~such executive~~
5 ~~council~~ the department within thirty days after the filing of
6 the same with the sheriff, the ~~executive council~~ department may
7 sell said site or building to any other person at the appraised
8 value, or may sell the same at public sale to the highest
9 bidder and the proceeds of such sale are to be added to the
10 permanent school fund of the state.

11 Sec. 63. Section 299.6A, subsection 1, Code 2014, is amended
12 to read as follows:

13 1. In lieu of a criminal proceeding under section 299.6,
14 a county attorney may bring a civil action against a parent,
15 guardian, or legal or actual custodian of a child who is of
16 compulsory attendance age, has not completed educational
17 requirements, and is truant, if the parent, guardian, or legal
18 or actual custodian has failed to cause the child to attend
19 a public school or an accredited nonpublic school, or ~~placed~~
20 to place the child under competent private instruction or
21 independent private instruction in the manner provided in this
22 chapter. If the court finds that the parent, guardian, or
23 legal or actual custodian has failed to cause the child to
24 attend as required in this section, the court shall assess a
25 civil penalty of not less than one hundred but not more than
26 one thousand dollars for each violation established.

27 Sec. 64. Section 306D.1, subsection 2, Code 2014, is amended
28 to read as follows:

29 2. In addition to other goals for the program, it is the
30 intention of the general assembly that the scenic highways
31 program be coordinated with the state's open space program
32 under chapter 465A.

33 Sec. 65. Section 307.23, Code 2014, is amended to read as
34 follows:

35 **307.23 General counsel.**

1 1. The general counsel shall be a special assistant attorney
2 general appointed by the attorney general who shall act as the
3 attorney for the department ~~and the.~~ The general counsel shall
4 have the following duties and responsibilities:

5 a. Act as legal advisor to the commission and the director~~7~~
6 ~~and provide.~~

7 b. Provide all legal services for the department.

8 2. The attorney general shall appoint additional assistant
9 attorneys general as the director deems necessary to carry out
10 the duties assigned to the office of the general counsel. The
11 salary of the general counsel shall be fixed by the director,
12 subject to the approval of the attorney general. The director
13 shall provide and furnish a suitable office for the general
14 counsel upon request of the attorney general.

15 Sec. 66. Section 309.41, Code 2014, is amended to read as
16 follows:

17 **309.41 Optional advertisement and letting.**

18 1. Contracts not embraced within the provisions of section
19 309.40 or 309.40A shall be either advertised and let at
20 a public letting~~7,~~ or, where the cost does not exceed the
21 engineer's estimate, let through informal bid procedure by
22 contacting at least three qualified bidders prior to letting
23 the contract. The informal bids received together with a
24 statement setting forth the reasons for use of the informal
25 procedure and bid acceptance shall be entered in the minutes
26 of the board of supervisors meeting at which such action was
27 taken.

28 2. Nothing contained in this section shall be deemed to
29 prohibit the board of supervisors from purchasing material
30 and using county equipment and regularly employed county road
31 personnel on a project within their capability as determined
32 by the county engineer.

33 Sec. 67. Section 309.43, Code 2014, is amended to read as
34 follows:

35 **309.43 Record of bids.**

1 All bids received shall be publicly opened, at the time and
 2 place specified in the advertisement, and shall be recorded
 3 in detail, in the road book, by the county auditor, ~~and the~~.
 4 The county engineer shall in all instances of day labor, and
 5 private or public contracts, file a detailed cost accounting
 6 sheet with the county auditor, ~~said~~. The road book and cost
 7 sheets shall at all times be open to public inspection.

8 Sec. 68. Section 313.2, Code 2014, is amended to read as
 9 follows:

10 **313.2 "Road systems" defined — roadside parks.**

11 1. The roads and streets of the state are, for the purpose
 12 of this chapter, those roads and streets established under
 13 chapter 306.

14 2. a. Whenever the board of supervisors of a county and
 15 the department mutually determine that a portion of a highway
 16 under the jurisdiction of either party should be transferred to
 17 the jurisdiction of the other party, the board and department
 18 may enter into an agreement to effect such transfer. Such
 19 agreement may provide that each party may undertake or share
 20 responsibility for improving said road with the costs of such
 21 improvement to be borne entirely by either the county or the
 22 department or equitably divided between the two jurisdictions.
 23 All such improvements shall be completed and all actual costs
 24 thereof paid or reimbursed prior to the time transfer of the
 25 road is made. In carrying out such agreement, the board of
 26 supervisors may expend secondary road funds of the county and
 27 the department may expend primary road funds.

28 b. However, prior to entering into the agreement, a notice
 29 of intent to execute such agreement shall be published in a
 30 newspaper of general circulation within the county and the cost
 31 of such notice shall be jointly borne by the department and
 32 the board of supervisors. If one hundred or more residents of
 33 the county request by petition or in writing that a hearing
 34 be held in regard to such agreement within ten days after
 35 the publication of the notice, the board of supervisors and

1 the department shall hold such a hearing not more than seven
2 days after receiving the petition or written instrument, and
3 based upon evidence presented at such hearing shall reexamine
4 the merits of executing such agreement and make a decision in
5 regard to it.

6 3. The department may, for the purpose of affording access
7 to cities or state parks, or for the purpose of shortening
8 the direct line of travel on important routes, or to effect
9 connections with interstate roads at the state line, add such
10 road or roads to the primary system.

11 4. The department, either alone or in cooperation with any
12 county, shall have the authority to utilize any land acquired
13 incidental to the acquisition of land for highway right-of-way
14 and to also accept by gift, lands not exceeding two acres in
15 area for roadside parks and parking areas. The department may
16 furnish necessary maintenance. The department shall also have
17 authority to accept by gift, equipment or other installations
18 incidental to the use of said parks and parking areas. ~~Said~~
19 The parks and parking areas shall be a part of the primary
20 road system and the department may at its discretion sell or
21 otherwise dispose of ~~said~~ the lands.

22 5. Reasonable maintenance and surveillance of rest area
23 sites and buildings located ~~thereon~~ on the sites shall be
24 provided by employees of the department within the limits of
25 appropriations provided for such purpose.

26 Sec. 69. Section 313.28, subsection 1, Code 2014, is amended
27 to read as follows:

28 1. When the department, for the purpose of establishing,
29 constructing, or maintaining any primary road, determines
30 that any secondary road or portion thereof is necessary for a
31 detour or haul road, the department, after consultation with
32 the county board of supervisors having jurisdiction of the
33 route, shall by order temporarily designate the secondary road
34 or portion thereof as a temporary primary road detour or as
35 a temporary primary road haul road, and the department shall

1 maintain the same as a primary road until it shall revoke the
2 temporary designation order. Prior to use of a secondary road
3 as a primary road haul road or detour, the department shall
4 designate a representative to inspect the secondary road with
5 the county engineer to determine and note the condition of the
6 road.

7 Sec. 70. Section 313.65, Code 2014, is amended to read as
8 follows:

9 **313.65 Approval of taxing bodies.**

10 Before any bridge owned by any individual or private
11 corporation shall be accepted by the department under the
12 provisions of sections 313.59 to 313.64, the ~~said~~ proposal and
13 acceptance shall first be approved by the following tax levying
14 and tax certifying bodies located in the ~~said~~ tax district:

15 1. The board of supervisors,~~the.~~

16 2. The city councils~~and the.~~

17 3. The school board or boards.

18 Sec. 71. Section 313.66, subsection 4, Code 2014, is amended
19 to read as follows:

20 4. Before the purchase of any such bridge shall be completed
21 by the department under the provisions of this section, the
22 purchase thereof shall first be approved by the following
23 tax levying and tax certifying bodies located in ~~said~~ the
24 district:

25 a. The board of supervisors,~~the.~~

26 b. The city councils,~~and the.~~

27 c. The school board or boards.

28 Sec. 72. Section 317.25, subsection 1, Code 2014, is amended
29 to read as follows:

30 1. a. A person shall not import, sell, offer for sale,
31 or distribute ~~teasel~~ in this state in any form, including the
32 seeds, any of the following plants:

33 (1) Teasel (Dipsacus) biennial,~~the multiflora.~~

34 (2) Multiflora rose (Rosa multiflora),~~purple.~~

35 (3) Purple loosestrife (Lythrum salicaria),~~purple.~~

- 1 (4) Purple loosestrife (Lythrum virgatum), ~~garlic~~.
2 (5) Garlic mustard (Alliaria petiolata), ~~oriental~~.
3 (6) Oriental bittersweet (Celastrus orbiculatus), ~~r~~.
4 (7) Japanese knotweed (Fallopia japonica), ~~or~~.
5 (8) Japanese hop (Humulus japonicus), ~~including the seeds~~
6 ~~of those plants, in any form in this state.~~

7 b. However, ~~this subsection~~ paragraph "a" does not prohibit
8 the sale, offer for sale, or distribution of the multiflora
9 rose (*Rosa multiflora*) used for understock for either
10 cultivated roses or ornamental shrubs in gardens.

11 Sec. 73. Section 321.24, subsections 7 and 10, Code 2014,
12 are amended to read as follows:

13 7. The certificate shall contain the name of the county
14 treasurer or of the department and, if the certificate of
15 title is printed, the signature of the county treasurer, the
16 deputy county treasurer, or the department director or deputy
17 designee. The certificate of title shall contain upon the
18 reverse side a form for assignment of title or interest and
19 warranty by the owner, for reassignments by a dealer licensed
20 in this state or in another state if the state in which the
21 dealer is licensed permits Iowa licensed dealers to similarly
22 reassign certificates of title. However, titles for mobile
23 homes or manufactured homes shall not be reassigned by licensed
24 dealers. Notwithstanding section 321.1, subsection 17, as
25 used in this ~~paragraph~~ subsection, "*dealer*" means every person
26 engaged in the business of buying, selling, or exchanging
27 vehicles of a type required to be registered under this
28 chapter.

29 10. A vehicle shall be registered for the registration
30 year. A vehicle registered for the first time in this state
31 shall be registered for the remaining unexpired months of the
32 registration year and pay an annual registration fee prorated
33 for the remaining unexpired months of the registration year
34 plus a fee for new registration if applicable pursuant to
35 section 321.105A. Except for a vehicle registered under

1 chapter 326, a vehicle registered for the first time during
2 the eleventh month of the owner's registration year may
3 be registered for the remaining unexpired months of the
4 registration year as provided in this ~~paragraph~~ subsection or
5 for the remaining unexpired months of the registration year and
6 for the next registration year, upon payment of the applicable
7 registration fees.

8 Sec. 74. Section 321.178, subsection 2, paragraph a,
9 subparagraph (2), subparagraph division (b), Code 2014, is
10 amended to read as follows:

11 ~~(b) For the period beginning July 1, 2010, through June~~
12 ~~30, 2011, peace officers shall issue only warning citations~~
13 ~~for violations of subparagraph division (a).~~ The department,
14 in cooperation with the department of public safety, shall
15 establish educational programs to foster compliance with the
16 requirements of subparagraph division (a).

17 Sec. 75. Section 321.180A, subsection 1, Code 2014, is
18 amended to read as follows:

19 1. Notwithstanding other provisions of this chapter, a
20 person with a physical disability, who is not suffering from
21 a convulsive disorder and who can provide a favorable medical
22 report, whose license renewal has been denied under section
23 321.177, subsection 6 or 7, or whose driver's license has been
24 suspended under section 321.210, subsection 1, paragraph "a",
25 subparagraph (3), upon meeting the requirements of section
26 321.186, other than a driving demonstration or elimination
27 of the person's limitations which caused the denial under
28 section 321.177, subsection 6 or 7, or suspension under section
29 321.210, subsection 1, paragraph "a", subparagraph (3), and
30 upon paying the fee required in section 321.191, shall be
31 issued a special instruction permit by the department. Upon
32 issuance of the permit the denial or suspension shall be stayed
33 and the stay shall remain in effect as long as the permit is
34 valid.

35 Sec. 76. Section 321.180B, subsection 6, paragraph b, Code

1 2014, is amended to read as follows:

2 ~~b. For the period beginning July 1, 2010, through June 30,~~
3 ~~2011, peace officers shall issue only warning citations for~~
4 ~~violations of paragraph "a".~~ The department, in cooperation
5 with the department of public safety, shall establish
6 educational programs to foster compliance with the requirements
7 of paragraph "a".

8 Sec. 77. Section 321.194, subsection 1, paragraph d,
9 subparagraph (2), Code 2014, is amended to read as follows:

10 (2) ~~For the period beginning July 1, 2010, through June 30,~~
11 ~~2011, peace officers shall issue only warning citations for~~
12 ~~violations of subparagraph (1).~~ The department, in cooperation
13 with the department of public safety, shall establish
14 educational programs to foster compliance with the requirements
15 of subparagraph (1).

16 Sec. 78. Section 321.498, subsection 1, Code 2014, is
17 amended to read as follows:

18 1. The acceptance by any nonresident of this state of the
19 privileges extended by the laws of this state to nonresident
20 operators or owners of operating a motor vehicle, or having the
21 same operated, within this state shall be deemed to be all of
22 the following:

23 a. An agreement by the nonresident that the nonresident
24 shall be subject to the jurisdiction of the district court
25 of this state over all civil actions and proceedings against
26 the nonresident for damages to person or property growing or
27 arising out of such use and operation, ~~and.~~

28 b. An appointment by such nonresident of the director of
29 this state as the nonresident's lawful attorney upon whom may
30 be served all original notices of suit pertaining to such
31 actions and proceedings, ~~and.~~

32 c. An agreement by such nonresident that any original notice
33 of suit so served shall be of the same legal force and validity
34 as if personally served on the nonresident in this state.

35 Sec. 79. Section 321.555, unnumbered paragraph 1, Code

1 2014, is amended to read as follows:

2 As used in this ~~division~~ section and sections 321.556
3 through 321.562, "*habitual offender*" means any person who has
4 accumulated convictions for separate and distinct offenses
5 described in subsection 1, 2, or 3, committed after July 1,
6 1974, for which final convictions have been rendered, as
7 follows:

8 Sec. 80. Section 321.562, Code 2014, is amended to read as
9 follows:

10 **321.562 Rule of construction.**

11 Nothing in sections 321.555 through 321.561 or this
12 ~~division~~ section shall be construed as amending, modifying, or
13 repealing any existing law of this state or any ordinance of
14 any political subdivision relating to the operation of motor
15 vehicles, the licensing of persons to operate motor vehicles,
16 or providing penalties for the violation thereof.

17 Sec. 81. Section 321A.8, Code 2014, is amended to read as
18 follows:

19 **321A.8 Application to unlicensed drivers and unregistered**
20 **motor vehicles.**

21 In case the operator or the owner of a motor vehicle
22 involved in an accident within this state has no license or
23 registration, the operator or owner shall not be allowed
24 a license or registration until the operator or owner has
25 complied with the requirements of sections 321A.4 ~~to~~ through
26 321A.7, this section, and sections 321A.9 through 321A.11 to
27 the same extent that would be necessary if, at the time of
28 the accident, the operator or owner had held a license and
29 registration.

30 Sec. 82. Section 321A.9, subsection 1, Code 2014, is amended
31 to read as follows:

32 1. The security required under sections 321A.4 ~~to~~ through
33 321A.8, this section, and sections 321A.10 and 321A.11 shall be
34 in such form and in such amount as the department may require
35 but in no case in excess of the limits specified in section

1 321A.5 in reference to the acceptable limits of a policy or
2 bond. The person depositing security shall specify in writing
3 the person or persons on whose behalf the deposit is made
4 and, at any time while such deposit is in the custody of the
5 department or state treasurer, the person depositing it may,
6 in writing, amend the specification of the person or persons
7 on whose behalf the deposit is made to include an additional
8 person or persons; provided, however, that a single deposit of
9 security shall be applicable only on behalf of persons required
10 to furnish security because of the same accident.

11 Sec. 83. Section 321A.10, Code 2014, is amended to read as
12 follows:

13 **321A.10 Custody, disposition, and return of security.**

14 Security deposited in compliance with the requirements of
15 sections 321A.4 ~~to~~ through 321A.9, this section, and section
16 321A.11 shall be placed by the department in the custody
17 of the state treasurer and shall be applicable only to the
18 payment of a judgment or judgments rendered against the person
19 or persons on whose behalf the deposit was made, for damages
20 arising out of the accident in question in an action at law,
21 begun not later than one year after the date of such accident,
22 or within one year after the date of deposit of any security
23 under subsection 3 of section 321A.7, and such deposit or any
24 balance thereof shall be returned to the depositor or the
25 depositor's personal representative when evidence satisfactory
26 to the department has been filed with the department that there
27 has been a release from liability, or a final adjudication of
28 nonliability, or a warrant for confession of judgment, or a
29 duly acknowledged agreement, in accordance with subsection 4 of
30 section 321A.6, or whenever, after the expiration of one year
31 from the date of the accident, or within one year after the
32 date of deposit of any security under subsection 3 of section
33 321A.7, the department shall be given reasonable evidence that
34 there is no such action pending and no judgment rendered in
35 such action left unpaid.

1 Sec. 84. Section 321A.13, subsection 3, Code 2014, is
2 amended to read as follows:

3 3. Any person whose license, registration, or nonresident's
4 operating privilege has been suspended or is about to be
5 suspended or shall become subject to suspension under the
6 provisions of sections 321A.12 ~~to~~, this section, and sections
7 321A.14 through 321A.29 may be relieved from the effect of such
8 judgment as hereinbefore prescribed in said sections by filing
9 with the department an affidavit stating that at the time of
10 the accident upon which such judgment has been rendered the
11 affiant was insured, that the insurer is liable to pay such
12 judgment, and the reason, if known, why such insurance company
13 has not paid such judgment. Such a person shall also file
14 the original policy of insurance or a certified copy thereof,
15 if available, and such other documents as the department may
16 require to show that the loss, injury, or damage for which such
17 judgment was rendered, was covered by such policy of insurance.
18 If the department is satisfied from such papers that such
19 insurer was authorized to issue such policy of insurance at the
20 time and place of issuing such policy and that such insurer is
21 liable to pay such judgment, at least to the extent and for
22 the amounts required in this chapter, the department shall not
23 suspend such license or registration or nonresident's operating
24 privilege, or if already suspended shall reinstate them.

25 Sec. 85. Section 321J.17, subsection 3, Code 2014, is
26 amended to read as follows:

27 3. The department shall also require certification of
28 installation of an ignition interlock device of a type approved
29 by the commissioner of public safety on all motor vehicles
30 owned or operated by any person seeking reinstatement following
31 a second or subsequent revocation under section 321J.4,
32 321J.9, or 321J.12. The requirement for the installation of
33 an approved ignition interlock device shall be for one year
34 from the date of reinstatement unless a longer time period
35 is required by statute. The one-year period a person is

1 required to maintain an ignition interlock device under this
 2 subsection shall be reduced by any period of time the person
 3 held a valid temporary restricted license during the period
 4 of the revocation for the occurrence from which the arrest
 5 arose. The person shall not operate any motor vehicle which
 6 is not equipped with an approved ignition interlock device
 7 during the period in which an ignition interlock device must be
 8 maintained, and the department shall not grant reinstatement
 9 unless the person certifies installation of an ignition
 10 interlock device as required in this subsection.

11 Sec. 86. Section 331.301, subsection 6, paragraph b, Code
 12 2014, is amended to read as follows:

13 b. A county shall not impose any fee or charge on any
 14 individual or business licensed by the plumbing and mechanical
 15 systems board for the right to perform plumbing, mechanical,
 16 HVAC, refrigeration, sheet metal, or hydronic systems work
 17 within the scope of the license. This paragraph does not
 18 prohibit a county from charging fees for the issuance of
 19 permits for, and inspections of, work performed in its
 20 jurisdiction.

21 Sec. 87. Section 364.3, subsection 3, paragraph b, Code
 22 2014, is amended to read as follows:

23 b. A city shall not impose any fee or charge on any
 24 individual or business licensed by the plumbing and mechanical
 25 systems board for the right to perform plumbing, mechanical,
 26 HVAC, refrigeration, sheet metal, or hydronic systems work
 27 within the scope of the license. This paragraph does not
 28 prohibit a city from charging fees for the issuance of permits
 29 for, and inspections of, work performed in its jurisdiction.

30 Sec. 88. Section 384.3A, subsection 3, paragraph j, Code
 31 2014, is amended to read as follows:

32 j. For franchise fees assessed and collected by a city in
 33 excess of five percent of gross revenues generated from sales
 34 of the franchisee within the city pursuant to section 364.2,
 35 subsection 4, paragraph "f", subparagraph (1), subparagraph

1 division (b), during fiscal years beginning on or after July
2 1, 2013, but before July 1, 2030, the adjustment, renewal,
3 or extension of any part or all of the legal indebtedness of
4 a city, whether evidenced by bonds, warrants, court-approved
5 settlements, court-approved compromises, or judgments, or the
6 funding or refunding of the same, if such legal indebtedness
7 relates to restitution, a refund, or a return ordered by a
8 court of competent jurisdiction for franchise fees assessed and
9 collected by the city before June 30 20, 2013. This paragraph
10 "j" is repealed July 1, 2030.

11 Sec. 89. Section 422.32, subsection 1, Code 2014, is amended
12 by adding the following new paragraph:

13 NEW PARAGRAPH. *0g. "Income from sources within this state"*
14 means income from real, tangible, or intangible property
15 located or having a situs in this state.

16 Sec. 90. Section 422.33, subsection 1, unnumbered paragraph
17 2, Code 2014, is amended by striking the unnumbered paragraph.

18 Sec. 91. Section 423A.6, subsection 1, Code 2014, is amended
19 to read as follows:

20 1. The director of revenue shall administer the state and
21 local hotel and motel tax as nearly as possible in conjunction
22 with the administration of the state sales tax law, except
23 that portion of the law which implements the streamlined sales
24 and use tax agreement. The director shall provide appropriate
25 forms, or provide on the regular state tax forms, for reporting
26 state and local hotel and motel tax liability. All moneys
27 received or refunded one hundred eighty days after the date
28 on which a city or county terminates its local hotel and
29 motel tax and all moneys received from the state hotel and
30 motel tax shall be deposited in or withdrawn from the general
31 fund of the state. Beginning the first day of the calendar
32 quarter beginning on the reinvestment district's commencement
33 date, the director of revenue shall, subject to remittance
34 limitations established by the economic development authority
35 board pursuant to section 15J.4, subsection 3, transfer from

1 the general fund of the state to a district account created
2 in the state reinvestment district fund for each reinvestment
3 district established under chapter 15J, the amount of the new
4 state hotel and motel tax revenue, determined in section 15J.5,
5 subsection 2, paragraph "b", in the district. Such transfers
6 shall cease pursuant to section 15J.8.

7 Sec. 92. Section 433.2, Code 2014, is amended to read as
8 follows:

9 **433.2 Additional statement.**

10 Upon the receipt of ~~said~~ the statements required in section
11 433.1 from the several companies, the director of revenue
12 shall examine ~~said~~ the statements ~~and if.~~ If the director
13 ~~shall deem~~ deems the ~~same~~ statements insufficient and that
14 further information is requisite, the director shall require
15 the officer making ~~same~~ the statements to make such other or
16 further statement as the director may desire.

17 Sec. 93. Section 433.4, subsection 1, Code 2014, is amended
18 to read as follows:

19 1. The director of revenue shall on or before October 31
20 each year, ~~proceed to~~ find the actual value of the property
21 of ~~these~~ telegraph and telephone companies in this state that
22 is used by the companies in the transaction of telegraph and
23 telephone business, taking into consideration the information
24 obtained from the statements required, and any further
25 information the director can obtain, using the same as a means
26 for determining the actual value of the property of ~~these~~ the
27 companies within this state. The director shall also take
28 into consideration the valuation of all property of ~~these~~ the
29 companies, including franchises and the use of the property
30 in connection with lines outside the state, and making these
31 deductions as may be necessary on account of extra value of
32 property outside the state as compared with the value of
33 property in the state, in order that the actual value of the
34 property of the company within this state may be ascertained.
35 The assessment shall include all property of every kind

1 and character whatsoever, real, personal, or mixed, used by
2 the companies in the transaction of telegraph and telephone
3 business. The property so included in the assessment shall not
4 be taxed in any other manner than as provided in this chapter.

5 Sec. 94. Section 437A.3, subsection 18, paragraph a,
6 subparagraph (2), Code 2014, is amended to read as follows:

7 (2) An electric power generating plant where the
8 acquisition cost of all interests acquired exceeds ten million
9 dollars. For purposes of this ~~paragraph~~ subparagraph, "*electric*
10 *power generating plant*" means each nameplate rated electric
11 power generating plant owned solely or jointly by any person
12 or electric power facility financed under the provisions of
13 chapter 28F or 476A in which electrical energy is produced from
14 other forms of energy, including all equipment used in the
15 production of such energy through its step-up transformer.

16 Sec. 95. Section 441.4, Code 2014, is amended to read as
17 follows:

18 **441.4 Removal of member.**

19 A member of this examining board may be removed by the
20 voting unit of the conference board by which the member was
21 appointed but only after specific charges have been filed and a
22 public hearing held, if a public hearing is requested by the
23 discharged member of the board. Subsequent appointments and an
24 appointment to fill a vacancy shall be made in the same way as
25 the original appointment.

26 Sec. 96. Section 452A.6A, subsection 2, Code 2014, is
27 amended to read as follows:

28 2. A refiner, supplier, terminal operator, or terminal
29 owner who in the ordinary course of business sells or
30 transports a conventional blendstock for oxygenate blending,
31 gasoline unblended or blended with a biofuel, or diesel fuel
32 unblended or blended with a biofuel shall not refuse to sell
33 or transport to a distributor or dealer any conventional
34 blendstock for oxygenate blending, unblended gasoline, or
35 unblended diesel fuel that is at the terminal, based on the

1 distributor's or dealer's intent to use the conventional
2 blendstock for oxygenate blending, or to blend the gasoline or
3 diesel fuel with a biofuel.

4 Sec. 97. Section 455A.20, subsection 2, Code 2014, is
5 amended to read as follows:

6 2. The duties of the county resource enhancement committee
7 are to coordinate the resource enhancement program, plans, and
8 proposed projects developed by cities, county conservation
9 board, and soil and water conservation district commissioners
10 for funding under this ~~division~~ subchapter. The county
11 committee shall review and comment upon all projects before
12 they are submitted for funding under section 455A.19. Each
13 county committee shall propose a five-year program plan which
14 includes a one-year proposed expenditure plan and submit it to
15 the department.

16 Sec. 98. Section 461.1, Code 2014, is amended to read as
17 follows:

18 **461.1 Title.**

19 This ~~Act~~ chapter shall be known and may be cited as the
20 "*Natural Resources and Outdoor Recreation Act*".

21 Sec. 99. Section 462A.49, Code 2014, is amended to read as
22 follows:

23 **462A.49 Prohibited use of "applied for" card.**

24 ~~No~~ A manufacturer or dealer shall not permit the use of ~~such~~
25 a "registration applied for" card unless an application for a
26 registration certificate has been made.

27 Sec. 100. Section 462A.77, subsections 4 and 9, Code 2014,
28 are amended to read as follows:

29 4. Every owner of a vessel subject to titling under this
30 chapter shall apply to the county recorder for issuance of
31 a certificate of title for the vessel within thirty days
32 after acquisition. The application shall be on forms the
33 department prescribes, and accompanied by the required
34 fee. The application shall be signed and sworn to before a
35 notarial officer as provided in chapter 9B ~~or other person~~

1 ~~who administers oaths,~~ or shall include a certification
 2 signed in writing containing substantially the representation
 3 that statements made are true and correct to the best of the
 4 applicant's knowledge, information, and belief, under penalty
 5 of perjury. The application shall contain the date of sale
 6 and gross price of the vessel or the fair market value if no
 7 sale immediately preceded the transfer, and any additional
 8 information the department requires. If the application
 9 is made for a vessel last previously registered or titled
 10 in another state or foreign country, it shall contain this
 11 information and any other information the department requires.

12 9. A person who owns a vessel which is not required to have
 13 a certificate of title may apply for and receive a certificate
 14 of title for the vessel and the vessel shall subsequently be
 15 subject to the requirements of this ~~division~~ subchapter as
 16 though the vessel was required to be titled.

17 Sec. 101. Section 466.9, subsection 1, Code 2014, is amended
 18 to read as follows:

19 1. An on-site wastewater systems assistance fund is
 20 established as a separate fund in the state treasury under the
 21 control of the department of natural resources. Moneys in the
 22 fund are appropriated to the department of natural resources
 23 for the exclusive purpose of supporting and administering the
 24 on-site wastewater systems assistance program as established
 25 in section 466.8.

26 Sec. 102. Section 466.9, subsection 3, paragraph a,
 27 subparagraph (1), Code 2014, is amended to read as follows:

28 (1) The financing account which shall be used for the
 29 exclusive purpose of providing financing to homeowners ~~with~~
 30 for improving on-site wastewater systems under the on-site
 31 wastewater systems assistance program.

32 Sec. 103. Section 468.69, Code 2014, is amended to read as
 33 follows:

34 **468.69 Bonds received for assessments.**

35 Bonds issued for the cost of construction, maintenance, or

1 repair of any drainage or levee district, or for the refunding
2 of any obligation of such district, may be acquired by any
3 taxpayer or group of taxpayers of such district, and applied
4 at their face value in the order of their priority, if any
5 priority exists between bonds of the same issue, upon the
6 payment of the delinquent ~~and/or~~ or future assessments levied
7 against the property of such taxpayers to pay off the bonds so
8 acquired; ~~the~~. The interest coupons attached to such bonds,
9 may likewise be applied at their face value to the payment of
10 assessments for interest accounts, delinquent or future.

11 Sec. 104. Section 490.728, subsection 1, Code 2014, is
12 amended to read as follows:

13 1. Unless otherwise provided in the articles of
14 incorporation, directors are elected by a plurality of the
15 votes cast by the shares entitled to ~~vote~~ be voted in the
16 election at a meeting at which a quorum is present.

17 Sec. 105. Section 490.728, subsection 4, unnumbered
18 paragraph 1, Code 2014, is amended to read as follows:

19 Shares otherwise entitled to ~~vote~~ be voted cumulatively
20 shall not be voted cumulatively at a particular meeting unless
21 any of the following applies:

22 Sec. 106. Section 490.860, subsection 6, paragraph b, Code
23 2014, is amended to read as follows:

24 b. If the transaction is not brought before the board of
25 directors of the corporation, or its committee, for action
26 under section 490.862, ~~at~~ the time at which the corporation,
27 or an entity controlled by the corporation, becomes legally
28 obligated to consummate the transaction.

29 Sec. 107. Section 499.66, subsection 2, paragraph c, Code
30 2014, is amended to read as follows:

31 c. The fair value of a dissenting member's interest in the
32 old association shall be determined as of the day preceding
33 the merger or consolidation by taking the lesser of either
34 the issue price of the dissenting member's membership, common
35 stock, deferred patronage dividends, and preferred stock, or

1 the amount determined by subtracting the old association's
2 debts from the fair market value of the old association's
3 assets, dividing the remainder by the total issue price of
4 all memberships, common stock, preferred stock, and revolving
5 funds, and then multiplying the quotient from this ~~division~~
6 equation by the total issue price of a dissenting member's
7 membership, common stock, preferred stock, and revolving fund
8 interest.

9 Sec. 108. Section 501.616, subsection 3, Code 2014, is
10 amended to read as follows:

11 3. The fair value of a dissenting member's interest in the
12 old cooperative shall be determined as of the day preceding
13 the merger or consolidation by taking the lesser of either the
14 issue price of the dissenting member's membership, deferred
15 patronage, and any other interests in the cooperative, or
16 the amount determined by subtracting the old cooperative's
17 debts from the fair market value of the old cooperative's
18 assets, dividing the remainder by the total issue price of all
19 memberships, deferred patronage, and all other interests, and
20 then multiplying the quotient from this ~~division~~ equation by
21 the total issue price of a dissenting member's membership,
22 deferred patronage, and other interests.

23 Sec. 109. Section 501B.7, subsection 7, Code 2014, is
24 amended to read as follows:

25 7. A statement of authority filed ~~by~~ in the office of the
26 county recorder as provided in subsection 2 is effective until
27 amended or canceled, unless an earlier cancellation date is
28 specified in the statement.

29 Sec. 110. Section 502.412, subsection 3, Code 2014, is
30 amended to read as follows:

31 3. *Disciplinary penalties — registrants.* If the
32 administrator finds that the order is in the public interest
33 and subsection 4, paragraphs "a" through "f", "h", "i", "j",
34 "l", or "m", authorizes the action, an order under this chapter
35 may censure, impose a bar, or impose a civil penalty in an

1 amount not to exceed a maximum of ten thousand dollars for
2 a single violation or one million dollars for more than one
3 violation, or in an amount as agreed to by the parties, on
4 a registrant, and, if the registrant is a broker-dealer or
5 investment adviser, on a partner, officer, director, or person
6 having a similar status or performing similar functions,
7 or on a person directly or indirectly in control, of the
8 broker-dealer or investment adviser.

9 Sec. 111. Section 508C.3, subsection 1, paragraph e, Code
10 2014, is amended by striking the paragraph.

11 Sec. 112. Section 508C.3, subsection 1, paragraph f, Code
12 2014, is amended to read as follows:

13 ~~f. Coverage under this chapter shall be provided to a~~ A
14 person who is a resident of this state and, only in special
15 circumstances, to a nonresident. In order to avoid duplicate
16 coverage, if a person who would otherwise receive coverage
17 under this chapter is provided coverage under the laws of
18 any other state, that person shall not be provided coverage
19 under this chapter. In determining the application of the
20 provisions of this paragraph in situations where a person could
21 be provided coverage by the association of more than one state,
22 whether as an owner, payee, beneficiary, or assignee, this
23 chapter shall be construed in conjunction with other state laws
24 to result in coverage by the association of only one state.

25 Sec. 113. Section 508C.3, Code 2014, is amended by adding
26 the following new subsection:

27 NEW SUBSECTION. 2A. Coverage under this chapter shall not
28 be provided to any of the following:

29 a. A person who is a payee, or the beneficiary of a payee
30 if the payee is deceased, of a contract owner who is a resident
31 of this state, if the payee or the beneficiary of the payee is
32 provided any coverage by the association of another state.

33 b. A person who is covered pursuant to subsection 1,
34 paragraph "c" if that person is provided any coverage by the
35 association of another state.

1 Sec. 114. Section 508C.3, subsection 3, paragraph o,
2 subparagraph (1), Code 2014, is amended to read as follows:

3 (1) Dividends ~~of~~ or experience rating credits.

4 Sec. 115. Section 514I.8, subsection 2, paragraph c, Code
5 2014, is amended to read as follows:

6 c. Is a member of a family whose income does not exceed
7 three hundred percent of the federal poverty level, as defined
8 in 42 U.S.C. § 9902(2), including any revision required by
9 such section, and in accordance with the federal Children's
10 Health Insurance Program Reauthorization Act of 2009, Pub. L.
11 No. 111-3. The modified adjusted gross income methodology
12 prescribed in section 2101 of the federal Patient Protection
13 and Affordable Care Act, Pub. L. No. 111-148, shall be used to
14 determine family income under this paragraph.

15 Sec. 116. Section 515.35, subsection 4, paragraphs n and o,
16 Code 2014, are amended to read as follows:

17 n. *Other investments.*

18 (1) A company organized under this chapter may invest up to
19 five percent of its admitted assets in securities or property
20 of any kind, without restrictions or limitations except those
21 imposed on business corporations in general.

22 (2) A company organized under this chapter may invest
23 its assets in any additional forms not specifically included
24 in paragraphs "a" through "~~e~~" "m" and this paragraph when
25 authorized by rules adopted by the commissioner.

26 ~~e. *Rules.* The commissioner may adopt rules pursuant to~~
27 ~~chapter 17A to carry out the purposes and provisions of this~~
28 ~~section.~~

29 Sec. 117. Section 515.35, Code 2014, is amended by adding
30 the following new subsection:

31 NEW SUBSECTION. 5. *Rules.* The commissioner may adopt
32 rules pursuant to chapter 17A to carry out the purposes and
33 provisions of this section.

34 Sec. 118. Section 521B.104, subsection 2, paragraph b, Code
35 2014, is amended to read as follows:

1 *b.* Is regulated, supervised, and examined by United States
2 federal or state authorities having regulatory authority over
3 banks and trust companies.

4 Sec. 119. Section 535.2, subsection 1, unnumbered paragraph
5 1, Code 2014, is amended to read as follows:

6 Except as provided in subsection 2 hereof, the rate of
7 interest shall be five cents on the hundred by the year in the
8 following cases, unless the parties shall agree in writing
9 for the payment of interest at a rate not exceeding the rate
10 permitted by subsection 3:

11 Sec. 120. Section 543B.20, Code 2014, is amended to read as
12 follows:

13 **543B.20 Examination.**

14 Examinations for ~~registration~~ a license shall be given as
15 often as deemed necessary by the real estate commission, but
16 no less than one time per year. Each applicant for a license
17 must pass an examination authorized by the commission and
18 administered by the commission or persons designated by the
19 commission. The examination shall be of scope and wording
20 sufficient in the judgment of the commission to establish
21 the competency of the applicant to act as a real estate
22 broker or salesperson in a manner to protect the interests of
23 the public. An examination for a real estate broker shall
24 be of a more exacting nature than that for a real estate
25 salesperson and require higher standards of knowledge of real
26 estate. The identity of the persons taking the examinations
27 shall be concealed until after the examination has been
28 graded. A person who fails to pass either examination once
29 may immediately apply to take the next available examination.
30 Thereafter, the applicant may take the examination at the
31 discretion of the commission. An applicant who has failed
32 either examination may request in writing information from the
33 commission concerning the applicant's examination grade and
34 subject areas or questions which the applicant failed to answer
35 correctly, except that if the commission administers a uniform,

1 standardized examination, the commission is only required to
2 provide the examination grade and other information concerning
3 the applicant's examination results which is available to the
4 commission.

5 Sec. 121. Section 543B.46, subsections 2 and 3, Code 2014,
6 are amended to read as follows:

7 2. Each broker shall notify the real estate commission of
8 the name of each bank ~~or~~, savings association, or credit union
9 in which a trust account is maintained and also the name of the
10 account on forms provided therefor.

11 3. Each broker shall authorize the real estate commission to
12 examine each trust account and shall obtain the certification
13 of the bank ~~or~~, savings association, or credit union attesting
14 to each trust account and consenting to the examination and
15 audit of each account by a duly authorized representative
16 of the commission. The certification and consent shall
17 be furnished on forms prescribed by the commission. This
18 subsection does not apply to an individual farm account
19 maintained in the name of the owner or owners for the purpose
20 of conducting ongoing farm business whether it is conducted by
21 the farm owner or by an agent or farm manager when the account
22 is part of a farm management agreement between the owner and
23 agent or manager. This subsection also does not apply to an
24 individual property management account maintained in the name
25 of the owner or owners for the purpose of conducting ongoing
26 property management whether it is conducted by the property
27 owner or by an agent or manager when the account is part of a
28 property management agreement between the owner and agent or
29 manager.

30 Sec. 122. Section 554.3312, subsection 2, paragraph a, Code
31 2014, is amended to read as follows:

32 a. The claim becomes enforceable at the later of ~~(i)~~ the
33 time the claim is asserted, or ~~(ii)~~ the ninetieth day following
34 the date of the check, in the case of a cashier's check or
35 teller's check, or the ninetieth day following the date of the

1 acceptance, in the case of a certified check.

2 Sec. 123. Section 554.3504, subsection 1, Code 2014, is
3 amended to read as follows:

4 1. Presentment for payment or acceptance of an instrument
5 is excused if the person entitled to present the instrument
6 cannot with reasonable diligence make presentment~~7~~i; the maker
7 or acceptor has repudiated an obligation to pay the instrument
8 or is dead or in insolvency proceedings~~7~~i; by the terms of
9 the instrument presentment is not necessary to enforce the
10 obligation of endorser or the drawer~~7~~i; the drawer or endorser
11 whose obligation is being enforced has waived presentment or
12 otherwise has no reason to expect or right to require that the
13 instrument be paid or accepted~~7~~i; or the drawer instructed the
14 drawee not to pay or accept the draft or the drawee was not
15 obligated to the drawer to pay the draft.

16 Sec. 124. Section 554.9502, subsection 3, paragraph c, Code
17 2014, is amended to read as follows:

18 c. the record satisfies the requirements for a financing
19 statement in this section, but~~+~~

20 (1) the record need not indicate that it is to be filed in
21 the real property records; and

22 (2) the record sufficiently provides the name of a debtor
23 who is an individual if it provides the individual name of the
24 debtor or the surname and first personal name of the debtor,
25 even if the debtor is an individual to whom section 554.9503,
26 subsection 1, paragraph "d" applies; and

27 Sec. 125. Section 559.2, unnumbered paragraph 1, Code 2014,
28 is amended to read as follows:

29 The term "*power to appoint*" as used in ~~section 559.1~~ this
30 chapter, shall mean and include all powers which are in
31 substance and effect powers of appointment, regardless of the
32 language used in creating them and whether they are:

33 Sec. 126. Section 572.13A, subsection 3, paragraphs a and c,
34 Code 2014, are amended to read as follows:

35 a. At the time a notice of commencement of work is posted

1 on the mechanics' notice and lien registry internet site,
2 the administrator shall assign a mechanics' notice and lien
3 registry number and send a copy of the owner notice described
4 in section 572.13. The owner notice shall contain the
5 following language:

6 Persons or companies furnishing labor or materials for the
7 improvement of real property may enforce a lien upon the
8 improved property if they are not paid for their contributions,
9 even if the parties have no direct contractual relationship
10 with the owner. The mechanics' notice and lien registry
11 internet site provides a listing of all persons or companies
12 furnishing labor or materials who have posted a lien or who
13 may post a lien upon the improved property. If the person or
14 company has posted its notice or lien to the mechanics' notice
15 and lien registry internet site, you may be required to pay the
16 person or company even if you have paid the general contractor
17 the full amount due. Therefore, check the mechanics' notice
18 and lien registry internet site for information about the
19 property including persons or companies furnishing labor or
20 materials before paying your general contractor. In addition,
21 when making payment to your general contractor, it is important
22 to obtain lien waivers from your general contractor and
23 from persons or companies registered as furnishing labor or
24 materials to your property. The information in the mechanics'
25 notice and lien registry is posted on the internet site of the
26 mechanics' notice and lien registry.

27 c. The notice described in subsection 1 shall be sent
28 to the owner's address as posted to the mechanics' notice
29 and lien registry internet site by the general contractor,
30 owner-builder, or subcontractor. If the owner's address is
31 different than the property address, a copy of the notice shall
32 also be sent to the property address, addressed to the owner
33 if a mailing address has been assigned to the property by the
34 United States postal service.

35 Sec. 127. Section 572.13B, subsection 2, Code 2014, is

1 amended to read as follows:

2 2. At the time a preliminary notice is posted to the
3 mechanics' notice and lien registry internet site, the
4 administrator shall send notification to the owner, including
5 the owner notice described in section 572.13, subsection 1,
6 and shall post the mailing of the notice on the mechanics'
7 notice and lien registry internet site as prescribed by the
8 administrator pursuant to rule. Notices under this section
9 shall not be sent to owner-builders. Upon request, the
10 administrator shall provide proof of service at no cost for the
11 notice required under this section.

12 Sec. 128. Section 572.33A, subsection 1, unnumbered
13 paragraph 1, Code 2014, is amended to read as follows:

14 An owner of a building, land, or improvement upon which
15 a mechanic's lien of a subcontractor may be posted, is not
16 required to pay the general contractor ~~for~~ compensation for
17 work done or material furnished for the building, land, or
18 improvement until the expiration of ninety days after the
19 completion of the building or improvement unless the general
20 contractor furnishes to the owner one of the following:

21 Sec. 129. Section 572.34, subsection 6, Code 2014, is
22 amended to read as follows:

23 6. The administrator shall charge and collect fees as
24 established by rule necessary for the administration and
25 maintenance of the registry and the registry's internet
26 site. The administrator shall not charge a posting fee for
27 a preliminary notice required pursuant to this chapter that
28 exceeds the cost of sending such notice by certified mail with
29 restricted delivery and return receipt. The administrator
30 shall not charge a posting fee that exceeds forty dollars for a
31 mechanic's lien ~~that exceeds forty dollars~~.

32 Sec. 130. Section 589.4, Code 2014, is amended to read as
33 follows:

34 **589.4 Acknowledgments by corporation officers.**

35 The acknowledgments of all deeds, mortgages, or other

1 instruments in writing taken or certified more than ten years
 2 earlier, which instruments have been recorded in the recorder's
 3 office of any county of this state, including acknowledgments
 4 of instruments made by a corporation, or to which the
 5 corporation was a party, or under which the corporation was
 6 a beneficiary, and which have been acknowledged before or
 7 certified by a notarial officer as provided in chapter 9B
 8 who was at the time of the acknowledgment or certifying a
 9 stockholder or officer in the corporation, are legal and valid
 10 official acts of the ~~notaries public~~ notarial officers, and
 11 entitle the instruments to be recorded, anything in the laws
 12 of the state of Iowa in regard to acknowledgments to the
 13 contrary notwithstanding. This section does not affect pending
 14 litigation.

15 Sec. 131. Section 589.5, Code 2014, is amended to read as
 16 follows:

17 **589.5 Acknowledgments by stockholders.**

18 All deeds and conveyances of lands within this state
 19 executed more than ten years earlier, but which have been
 20 acknowledged or proved according to and in compliance with
 21 the laws of this state before a notarial officer as provided
 22 in chapter 9B ~~or other official authorized by law to take~~
 23 ~~acknowledgments~~ who was, at the time of the acknowledgment,
 24 an officer or stockholder of a corporation interested in the
 25 deed or conveyance, or otherwise interested in the deeds or
 26 conveyances, are, if otherwise valid, valid in law as though
 27 acknowledged or proved before an officer not interested in
 28 the deeds or conveyances; and if recorded more than ten years
 29 earlier, in the respective counties in which the lands are, the
 30 records are valid in law as though the deeds and conveyances,
 31 so acknowledged or proved and recorded, had, prior to being
 32 recorded, been acknowledged or proved before ~~an~~ a notarial
 33 officer having no interest in the deeds or conveyances.

34 Sec. 132. Section 602.8103A, subsection 3, Code 2014, is
 35 amended to read as follows:

1 3. If a request is made pursuant to subsection 1, ~~within~~
2 ~~seven days of the filing of the final briefs in the appeal,~~ the
3 clerk of the district court shall transmit any of the remaining
4 record to the clerk of the supreme court within seven days of
5 the filing of the final briefs in the appeal.

6 Sec. 133. Section 602.11105, subsection 1, unnumbered
7 paragraph 1, Code 2014, is amended to read as follows:

8 Commencing one year prior to each category of employees
9 becoming state employees as a result of ~~this Act~~ 1983 Acts, ch.
10 186, new employees shall not be hired and vacancies shall not
11 be filled, except as provided in subsection 2, with respect to
12 any of the following agencies or positions:

13 Sec. 134. Section 602.11106, Code 2014, is amended to read
14 as follows:

15 **602.11106 Employee reclassification moratorium.**

16 Commencing one year prior to county employees becoming state
17 employees as a result of ~~this Act~~ 1983 Acts, ch. 186, the
18 county employees shall not be promoted or demoted, and shall
19 not be subject to a reduction in salary or a reduction in other
20 employee benefits, except after approval by the chief judge
21 of the judicial district. An employer wishing to take any of
22 these actions shall apply to the chief judge in a writing that
23 discloses the proposed action, the reasons for the action,
24 and the statutory or other authority for the action. The
25 chief judge shall not approve any proposed action that is in
26 violation of an employee's rights or that is extraordinary
27 when compared with customary practices and procedures of the
28 employer. The chief judge shall obtain the advice of the
29 district judges of the judicial district respecting decisions
30 to be made under this section.

31 Sec. 135. Section 602.11107, subsections 1 and 5, Code 2014,
32 are amended to read as follows:

33 1. Commencing on the date when each category of employees
34 becomes state employees as a result of ~~this Act~~ 1983 Acts,
35 ch. 186, public property referred to in subsection 2 that on

1 the day prior to that date is in the custody of a person or
 2 agency referred to in subsection 3 shall not become property
 3 of the judicial branch but shall be devoted for the use of
 4 the judicial branch in its course of business. The judicial
 5 branch shall only be responsible for maintenance contracts or
 6 contracts for purchase entered into by the judicial branch.
 7 Upon replacement of the property by the judicial branch, the
 8 property shall revert to the use of the appropriate county.
 9 However, if the property is personal property of a historical
 10 nature, the property shall not become property of the judicial
 11 branch, and the county shall make the property available to
 12 the judicial branch for the judicial branch's use within the
 13 county courthouse until the court no longer wishes to use the
 14 property, at which time the property shall revert to the use of
 15 the appropriate county.

16 5. Personal property of a type that is subject to
 17 subsections 1 through 3 shall be subject to the control of the
 18 chief judge of the judicial district commencing on the date
 19 when each category of employees becomes state employees as a
 20 result of ~~this Act~~ 1983 Acts, ch. 186. On and after that date
 21 the chief judge of the judicial district may issue necessary
 22 orders to preserve the use of the property by the district
 23 court. Commencing on that date, the chief judge, subject
 24 to the direction of the supreme court, shall establish and
 25 maintain an inventory of property used by the district court.

26 Sec. 136. Section 631.8, subsections 4, 5, and 6, Code 2014,
 27 are amended to read as follows:

28 4. In small claims actions, a counterclaim, cross claim,
 29 or intervention in a greater amount than that of a small claim
 30 shall be in the form of a regular pleading. A copy shall be
 31 filed for each existing party. New parties, when permitted by
 32 order, may be brought in under rule of civil procedure 1.246
 33 and shall be given notice under the rules of civil procedure
 34 pertaining to commencement of actions. The court shall either
 35 order such counterclaim, cross claim, or intervention to be

1 tried by regular procedure and the other claim to be heard
2 under this ~~division~~ chapter, or order the entire action to be
3 tried by regular procedure.

4 5. In regular action, when a party joins a small claim with
5 one which is not a small claim, regular procedure shall apply
6 to both unless the court transfers the small claim to the small
7 claims docket for hearing under this ~~division~~ chapter.

8 6. In regular actions, a counterclaim, cross claim, or
9 intervention in the amount of a small claim shall be pleaded,
10 tried, and determined by regular procedure, unless the court
11 transfers the small claim to the small claims docket for
12 hearing under this ~~division~~ chapter.

13 Sec. 137. Section 633.304, subsection 2, Code 2014, is
14 amended to read as follows:

15 2. On admission of a will to probate, the executor, as
16 soon as letters are issued, shall cause notice to be published
17 once each week for two consecutive weeks in a daily or weekly
18 newspaper of general circulation published in the county in
19 which the estate is pending and at any time during the pendency
20 of administration that the executor has knowledge of the name
21 and address of a person believed to own or possess a claim
22 which will not or may not be paid or otherwise satisfied during
23 administration, provide notice by ordinary mail to each such
24 claimant at the claimant's last known address, and as soon as
25 practicable give notice, except to any executor, by ordinary
26 mail to the surviving spouse, each heir of the decedent,
27 and each devisee under the will admitted to probate whose
28 identities are reasonably ascertainable, at such persons' last
29 known addresses, a that gives notice of admission of the will
30 to probate and of the appointment of the executor, ~~in which~~.
31 In the notice shall be included a notice that any action to set
32 aside the probate of the will must be brought within the later
33 to occur of four months from the date of the second publication
34 of the notice or one month from the date of mailing of this
35 notice or thereafter be forever barred, ~~and in which shall be~~

1 ~~included~~ a notice to debtors to make payment, and a notice to
2 creditors having claims against the estate to file them with
3 the clerk within four months from the second publication of the
4 notice, or thereafter be forever barred.

5 Sec. 138. Section 656.3, subsection 2, Code 2014, is amended
6 to read as follows:

7 2. The notice provided for in section 656.2 may be served on
8 a judgment creditor of a deceased ~~vendor~~ vendee or on any other
9 person who is, as a matter of record, interested in the estate
10 of a deceased ~~vendor~~ vendee in the manner provided in section
11 654.4A, subsections 4 and 5.

12 Sec. 139. Section 692A.101, subsection 1, paragraph b, Code
13 2014, is amended to read as follows:

14 b. Any conviction for an offense specified in the laws
15 of another jurisdiction or ~~any conviction for an offense~~
16 prosecuted in federal, military, or foreign court, that is
17 comparable to an offense listed in paragraph "a" shall be
18 considered an aggravated offense for purposes of registering
19 under this chapter.

20 Sec. 140. Section 692A.101, subsection 2, paragraph b, Code
21 2014, is amended to read as follows:

22 b. Any offense specified in the laws of another jurisdiction
23 or prosecuted in a federal, military, or foreign court, that
24 is comparable to an offense listed in paragraph "a" shall be
25 considered an aggravated offense against a minor if such an
26 offense was committed against a minor or otherwise involves a
27 minor.

28 Sec. 141. Section 692A.102, subsection 1, paragraph a,
29 subparagraph (18), Code 2014, is amended to read as follows:

30 (18) Any sex offense specified in the laws of another
31 jurisdiction, or any sex offense that may be prosecuted in
32 federal, military, or foreign court, that is comparable to an
33 offense listed in subparagraphs (1) through (17).

34 Sec. 142. Section 692A.102, subsection 1, paragraph b,
35 subparagraph (28), Code 2014, is amended to read as follows:

1 (28) Any sex offense specified in the laws of another
2 jurisdiction, or any sex offense that may be prosecuted in a
3 federal, military, or foreign court, that is comparable to an
4 offense listed in subparagraphs (1) through (27).

5 Sec. 143. Section 692A.102, subsection 1, paragraph c,
6 subparagraph (41), Code 2014, is amended to read as follows:

7 (41) Any sex offense specified in the laws of another
8 jurisdiction, or any sex offense that may be prosecuted in
9 federal, military, or foreign court, that is comparable to an
10 offense listed in subparagraphs (1) through (40).

11 Sec. 144. Section 702.17, Code 2014, is amended to read as
12 follows:

13 **702.17 Sex act.**

14 The term "*sex act*" or "*sexual activity*" means any
15 sexual contact between two or more persons by any of the
16 following: ~~penetration~~

17 1. Penetration of the penis into the vagina or anus;
18 ~~contact.~~

19 2. Contact between the mouth and genitalia or by contact
20 between the genitalia of one person and the genitalia or anus
21 of another person; ~~contact.~~

22 3. Contact between the finger or hand of one person and
23 the genitalia or anus of another person, except in the course
24 of examination or treatment by a person licensed pursuant to
25 chapter 148, 148C, 151, or 152; ~~ejaculation.~~

26 4. Ejaculation onto the person of another; ~~or by.~~

27 5. By use of artificial sexual organs or substitutes
28 therefor in contact with the genitalia or anus.

29 Sec. 145. Section 715A.1, Code 2014, is amended to read as
30 follows:

31 **715A.1 Definitions.**

32 As used in this chapter:

33 1. "Credit card" means a writing purporting to evidence
34 an undertaking to pay for property or services delivered or
35 rendered to or upon the order of a designated person or bearer

1 and includes a debit card or access device used to engage in an
 2 electronic transfer of funds through a satellite terminal as
 3 defined in section 527.2, subsection 20.

4 ~~1. 2. As used in this chapter the term "writing"~~ "Writing"
 5 includes printing or any other method of recording information,
 6 and includes money, coins, tokens, stamps, seals, credit
 7 cards, badges, trademarks, and other symbols of value, right,
 8 privilege, or identification.

9 ~~2. As used in this chapter the term "credit card" means~~
 10 ~~a writing purporting to evidence an undertaking to pay for~~
 11 ~~property or services delivered or rendered to or upon the order~~
 12 ~~of a designated person or bearer and includes a debit card~~
 13 ~~or access device used to engage in an electronic transfer of~~
 14 ~~funds through a satellite terminal as defined in section 527.2,~~
 15 ~~subsection 20.~~

16 Sec. 146. Section 715A.6, subsection 2, Code 2014, is
 17 amended to read as follows:

18 2. a. An offense under this section is a class "C" felony
 19 if the value of the property or services secured or sought to
 20 be secured by means of the credit card is greater than ten
 21 thousand dollars.

22 b. If the value of the property or services secured or
 23 sought to be secured by means of the credit card is greater
 24 than one thousand dollars but not more than ten thousand
 25 dollars, an offense under this section is a class "D" felony,
 26 ~~otherwise the.~~

27 c. If the value of the property or services secured
 28 or sought to be secured by means of the credit card is one
 29 thousand dollars or less, an offense under this section is an
 30 aggravated misdemeanor.

31 Sec. 147. Section 717B.3, subsection 1, Code 2014, is
 32 amended to read as follows:

33 1. A person who impounds or confines, in any place, an
 34 animal is guilty of animal neglect, if the person does any of
 35 the following: ~~fails~~

1 a. Fails to supply the animal during confinement with a
2 sufficient quantity of food or water; ~~fails.~~

3 b. Fails to provide a confined dog or cat with adequate
4 shelter; ~~or tortures.~~

5 c. Tortures, deprives of necessary sustenance, mutilates,
6 beats, or kills an animal by any means which causes unjustified
7 pain, distress, or suffering.

8 Sec. 148. Section 724.1, Code 2014, is amended to read as
9 follows:

10 **724.1 Offensive weapons.**

11 1. An offensive weapon is any device or instrumentality of
12 the following types:

13 ~~1-~~ a. A machine gun. A machine gun is a firearm which
14 shoots or is designed to shoot more than one shot, without
15 manual reloading, by a single function of the trigger.

16 ~~2-~~ b. A short-barreled rifle or short-barreled shotgun.
17 A short-barreled rifle or short-barreled shotgun is a rifle
18 with a barrel or barrels less than sixteen inches in length or
19 a shotgun with a barrel or barrels less than eighteen inches
20 in length, as measured from the face of the closed bolt or
21 standing breech to the muzzle, or any rifle or shotgun with an
22 overall length less than twenty-six inches.

23 ~~3-~~ c. Any weapon other than a shotgun or muzzle loading
24 rifle, cannon, pistol, revolver or musket, which fires or can
25 be made to fire a projectile by the explosion of a propellant
26 charge, which has a barrel or tube with the bore of more
27 than six-tenths of an inch in diameter, or the ammunition or
28 projectile therefor, but not including antique weapons kept for
29 display or lawful shooting.

30 ~~4-~~ d. A bomb, grenade, or mine, whether explosive,
31 incendiary, or poison gas; any rocket having a propellant
32 charge of more than four ounces; any missile having an
33 explosive charge of more than one-quarter ounce; or any device
34 similar to any of these.

35 ~~5-~~ e. A ballistic knife. A ballistic knife is a knife

1 with a detachable blade which is propelled by a spring-operated
2 mechanism, elastic material, or compressed gas.

3 ~~6-~~ f. Any part or combination of parts either designed or
4 intended to be used to convert any device into an offensive
5 weapon as described in ~~subsections 1 to 5 of this section~~
6 paragraphs "a" through "e", or to assemble into such an
7 offensive weapon, except magazines or other parts, ammunition,
8 or ammunition components used in common with lawful sporting
9 firearms or parts including but not limited to barrels suitable
10 for refitting to sporting firearms.

11 ~~7-~~ g. Any bullet or projectile containing any explosive
12 mixture or chemical compound capable of exploding or detonating
13 prior to or upon impact, or any shotshell or cartridge
14 containing exothermic pyrophoric misch metal as a projectile
15 which is designed to throw or project a flame or fireball to
16 simulate a flamethrower.

17 ~~8-~~ h. Any mechanical device specifically constructed and
18 designed so that when attached to a firearm silences, muffles,
19 or suppresses the sound when fired. However, this ~~subsection~~
20 paragraph does not apply to a mechanical device possessed and
21 used by a person solely for the purpose of shooting a deer
22 pursuant to an approved city special deer population control
23 plan if the person has a valid federal permit to possess and
24 use the mechanical device.

25 ~~9-~~ 2. An offensive weapon or part or combination of parts
26 therefor shall not include the following:

27 a. An antique firearm. An antique firearm is any firearm,
28 {including any firearm with a matchlock, flintlock, percussion
29 cap, or similar type of ignition system}, manufactured in
30 or before 1898 or any firearm which is a replica of such a
31 firearm if such replica is not designed or redesigned for using
32 conventional rimfire or centerfire ammunition or which uses
33 only rimfire or centerfire fixed ammunition which is no longer
34 manufactured in the United States and which is not readily
35 available in the ordinary channels of commercial trade.

1 *b.* A collector's item. A collector's item is any firearm
2 other than a machine gun that by reason of its date of
3 manufacture, value, design, and other characteristics is not
4 likely to be used as a weapon. The commissioner of public
5 safety shall designate by rule firearms which the commissioner
6 determines to be collector's items and shall revise or update
7 the list of firearms at least annually.

8 *c.* Any device which is not designed or redesigned for use
9 as a weapon; any device which is designed solely for use as
10 a signaling, pyrotechnic, line-throwing, safety, or similar
11 device; or any firearm which is unserviceable by reason of
12 being unable to discharge a shot by means of an explosive and
13 is incapable of being readily restored to a firing condition.

14 Sec. 149. Section 809A.16, subsection 4, Code 2014, is
15 amended to read as follows:

16 4. After final disposition of all claims and answers
17 timely filed in an action in rem, or after final judgment
18 and disposition of all claims timely filed in an action in
19 personam, the court shall enter an order that the state has
20 clear title to the forfeited property interest. Title to the
21 forfeited property interest and its proceeds shall be deemed
22 to have vested in the state on the commission of the conduct
23 giving rise to the forfeiture under this chapter.

24 Sec. 150. Section 904.905, subsection 1, paragraph a, Code
25 2014, is amended to read as follows:

26 *a.* An amount the inmate may be legally obligated to pay for
27 the support of the inmate's dependents, the amount of which
28 shall be paid to the dependents through the department of human
29 services ~~located in~~ office or unit serving the county or city
30 in which the dependents reside.

31 Sec. 151. Section 905.12, subsection 1, paragraph a, Code
32 2014, is amended to read as follows:

33 *a.* An amount the resident may be legally obligated to pay
34 for the support of dependents, which shall be paid to the
35 dependents directly or through the department of human services

1 ~~in~~ office or unit serving the county in which the dependents
2 reside. For the purpose of this paragraph, "*legally obligated*"
3 means under a court order.

4 Sec. 152. REPEAL. Sections 225C.7, 225C.12, 225C.18, and
5 260G.7, Code 2014, are repealed.

6 Sec. 153. 2013 Iowa Acts, chapter 24, section 13, is amended
7 to read as follows:

8 SEC. 13. NEW SECTION. **249A.49 Internet site — providers**
9 **found in violation of medical assistance program.**

10 1. The director shall maintain on the department's internet
11 site, in a manner readily accessible by the public, all of the
12 following:

13 a. A list of all providers that the department has
14 terminated, suspended, or placed on probation.

15 b. A list of all providers that have failed to return an
16 identified overpayment of medical assistance within the time
17 frame specified in section ~~249A.41~~ 249A.39.

18 c. A list of all providers found liable for a false claims
19 law violation related to the medical assistance program under
20 chapter 685.

21 2. The director shall take all appropriate measures to
22 safeguard the protected health information, social security
23 numbers, and other information of the individuals involved,
24 which may be redacted or omitted as provided in rule of civil
25 procedure 1.422. A provider shall not be included on the
26 internet site until all administrative and judicial remedies
27 relating to the violation have been exhausted.

28 Sec. 154. Section 456A.38, subsection 4, as enacted by
29 2013 Iowa Acts, chapter 64, section 1, is amended to read as
30 follows:

31 4. The department shall execute a lease with a beginning
32 farmer selected to participate in the program after such person
33 has been certified by the ~~agricultural development~~ authority
34 as a beginning farmer who meets the requirements of the
35 authority, which shall be based on section 175.12, subsection

1 3, paragraphs "a", "c", "f", and "g".

2 Sec. 155. 2013 Iowa Acts, chapter 125, section 25,
3 subsection 1, is amended to read as follows:

4 1. The sections of this Act amending ~~sections~~ section 2.48,
5 section 175.8, subsection 2, and sections 175.37, 422.11M,
6 and 422.33, are repealed. The Code editor shall revise the
7 applicable Code language to that language existing in the 2013
8 Code of Iowa.

9 Sec. 156. 2013 Iowa Acts, chapter 130, section 22, is
10 amended by striking that section and inserting in lieu thereof
11 the following:

12 SEC. 22. Section 222.61, Code 2014, is amended to read as
13 follows:

14 **222.61 Residency determined.**

15 When a county receives an application on behalf of any
16 person for admission to a resource center or a special unit
17 ~~or when a court issues an order committing any person to a~~
18 ~~resource center or a special unit~~, the board of supervisors
19 shall refer the determination of residency to the central point
20 of coordination process to determine and certify that the
21 residence of the person is in one of the following:

22 1. In the county in which the application is received ~~or in~~
23 ~~which the court is located~~.

24 2. In some other county of the state.

25 3. In another state or in a foreign country.

26 4. Unknown.

27 Sec. 157. 2013 Iowa Acts, chapter 130, section 23, is
28 amended to read as follows:

29 SEC. 23. Section 222.64, Code 2013, is amended to read as
30 follows:

31 **222.64 Foreign state or country or unknown legal settlement.**

32 If the legal settlement of the person is determined by the
33 board of supervisors through the central point of coordination
34 process to be in a foreign state or country or is determined
35 to be unknown, the board of supervisors shall certify the

1 determination to the administrator. The certification shall
2 be accompanied by a copy of the evidence supporting the
3 determination. The care of the person shall be as arranged by
4 the board of supervisors ~~or by an order as the court may enter.~~
5 Application for admission may be made pending investigation by
6 the administrator.

7 DIVISION II

8 CORRESPONDING REFERENCE CORRECTIONS

9 Sec. 158. Section 135.180, subsection 3, Code 2014, is
10 amended to read as follows:

11 3. The program shall provide stipends to support
12 psychiatrist positions with an emphasis on securing and
13 retaining medical directors at community mental health centers,
14 providers of mental health services to county residents
15 pursuant to a waiver approved under section 225C.7, subsection
16 3, Code 2011, and hospital psychiatric units that are located
17 in mental health professional shortage areas.

18 Sec. 159. Section 161A.51, subsection 2, Code 2014, is
19 amended to read as follows:

20 2. In the application the commissioners shall state that
21 entry on the premises is mandated by the laws of this state
22 or that entry is needed to conduct soil sampling necessary
23 to classify soil in the district as specified in section
24 161A.44, subsection 1, paragraph "a", or to determine whether
25 soil erosion is occurring on the property in violation of the
26 district's regulations. The application shall describe the
27 area or premises, give the date of the last known investigation
28 or sampling, give the date and time of the proposed inspection,
29 declare the need for such inspection, recite that notice of
30 desire to make an inspection has been given to affected persons
31 and that admission was refused if that be the fact, and state
32 that the inspection has no purpose other than to carry out the
33 purpose of the statute, ordinance or regulation pursuant to
34 which the inspection is to be made.

35 Sec. 160. Section 422.15, subsection 2, Code 2014, is

1 amended to read as follows:

2 2. Every partnership, including limited partnerships, doing
3 business in this state, or deriving income from sources within
4 this state as defined in section ~~422.33~~ 422.32, subsection
5 1, paragraph "dg", shall make a return, stating specifically
6 the net income and capital gains {or losses} reported on the
7 federal partnership return, the names and addresses of the
8 partners, and their respective shares in said amounts.

9

DIVISION III

10

UPDATES TO FEDERAL CITATIONS

11 Sec. 161. Section 11.2, subsection 3, paragraph d, Code
12 2014, is amended to read as follows:

13 d. The review of the most recent annual report to
14 shareholders of an open-end management investment company
15 or an unincorporated investment company or investment trust
16 registered with the federal securities and exchange commission
17 under the federal Investment Company Act of 1940, 15 U.S.C. §
18 ~~80a~~ §80a-1 et seq., pursuant to 17 C.F.R. § 270.30d-1 or the
19 review, by the person performing the audit, of the most recent
20 annual report to shareholders, call reports, or the findings
21 pursuant to a regular examination under state or federal law,
22 to the extent the findings are not confidential, of a bank,
23 savings and loan association, or credit union shall satisfy the
24 review requirements of this subsection.

25 Sec. 162. Section 11.6, subsection 1, paragraph c,
26 subparagraph (3), Code 2014, is amended to read as follows:

27 (3) The review by the auditor of the most recent annual
28 report to shareholders of an open-end management investment
29 company or an unincorporated investment company or investment
30 trust registered with the federal securities and exchange
31 commission under the federal Investment Company Act of 1940, 15
32 U.S.C. ~~§80a~~ §80a-1 et seq., pursuant to 17 C.F.R. § 270.30d-1
33 or the review, by the auditor, of the most recent annual report
34 to shareholders, call reports, or the findings pursuant to a
35 regular examination under state or federal law, to the extent

1 the findings are not confidential, of a bank, savings and
2 loan association, or credit union shall satisfy the review
3 requirements of this paragraph.

4 Sec. 163. Section 12B.10, subsection 4, paragraph a,
5 subparagraph (7), Code 2014, is amended to read as follows:

6 (7) An open-end management investment company organized in
7 trust form registered with the federal securities and exchange
8 commission under the federal Investment Company Act of 1940, 15
9 U.S.C. ~~§ 80a~~ §80a-1 et seq., and operated in accordance with 17
10 C.F.R. § 270.2a-7.

11 Sec. 164. Section 12C.16, subsection 1, paragraph b,
12 subparagraph (1), subparagraph division (f), Code 2014, is
13 amended to read as follows:

14 (f) Investments in an open-end management investment
15 company registered with the federal securities and exchange
16 commission under the federal Investment Company Act of 1940, 15
17 U.S.C. ~~§ 80a~~ §80a-1 et seq., which is operated in accordance
18 with 17 C.F.R. § 270.2a-7.

19 Sec. 165. Section 12C.16, subsection 1, paragraph b,
20 subparagraph (2), Code 2014, is amended to read as follows:

21 (2) Direct obligations of, or obligations that are insured
22 or fully guaranteed as to principal and interest by, the United
23 States of America, which may be used to secure the deposit of
24 public funds under subparagraph (1), subparagraph division (a),
25 include investments in an investment company or investment
26 trust registered under the federal Investment Company Act
27 of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq., the portfolio of
28 which is limited to the United States government obligations
29 described in subparagraph (1), subparagraph division (a),
30 and to repurchase agreements fully collateralized by the
31 United States government obligations described in subparagraph
32 (1), subparagraph division (a), if the investment company
33 or investment trust takes delivery of the collateral either
34 directly or through an authorized custodian.

35 Sec. 166. Section 29A.23, Code 2014, is amended to read as

1 follows:

2 **29A.23 Roll of retired officers and enlisted personnel.**

3 An officer or enlisted person who is a member of the Iowa
4 national guard who has completed twenty years of military
5 service under 10 U.S.C. ~~§ 1331(d)~~ §12731, as evidenced by a
6 letter of notification of retired pay at age sixty, shall upon
7 retirement from the Iowa national guard and written request
8 to the adjutant general be placed by order of the commander
9 in chief on a roll in the office of the adjutant general to
10 be known as the "roll of retired national guard military
11 personnel". A member registered on the roll is entitled to
12 wear the uniform of the rank last held on state or other
13 occasions of ceremony, when the wearing of such uniform is not
14 in conflict with federal law.

15 Sec. 167. Section 125.10, subsection 1, Code 2014, is
16 amended to read as follows:

17 1. Prepare and submit a state plan subject to approval
18 by the board and in accordance with ~~the provisions of~~ 42
19 U.S.C. ~~§ 4573~~ §300x-21 et seq. The state plan shall designate
20 the department as the sole agency for supervising the
21 administration of the plan.

22 Sec. 168. Section 125.93, Code 2014, is amended to read as
23 follows:

24 **125.93 Commitment records — confidentiality.**

25 Records of the identity, diagnosis, prognosis, or
26 treatment of a person which are maintained in connection
27 with the provision of substance abuse treatment services are
28 confidential, consistent with the requirements of section
29 125.37, and with the federal confidentiality regulations
30 authorized by the federal Drug Abuse Office and Treatment
31 Act, ~~21 U.S.C. § 1175 (1976)~~ 42 U.S.C. §290ee and the federal
32 Comprehensive Alcohol Abuse and Alcoholism Prevention,
33 Treatment and Rehabilitation Act, 42 U.S.C. ~~§ 4582 (1976)~~
34 §290dd-2.

35 Sec. 169. Section 198.7, subsection 1, paragraph f, Code

1 2014, is amended to read as follows:

2 *f.* If it is, or it bears or contains a new animal drug which
3 is unsafe within the meaning of the federal Food, Drug, and
4 Cosmetic Act, 21 U.S.C. ~~§ 512~~ §801 et seq.

5 Sec. 170. Section 225C.3, subsection 2, Code 2014, is
6 amended to read as follows:

7 2. The division is designated the state developmental
8 disabilities agency for the purpose of directing the benefits
9 of the federal Developmental Disabilities Services and
10 Facilities Construction Assistance and Bill of Rights Act, 42
11 U.S.C. ~~§ 6001~~ §15001 et seq.

12 Sec. 171. Section 225C.35, subsection 3, Code 2014, is
13 amended to read as follows:

14 3. "*Family member*" means a person less than eighteen years
15 of age who by educational determination has a moderate, severe,
16 or profound educational disability or special health care
17 needs or who otherwise meets the definition of developmental
18 disability in the federal Developmental Disabilities Assistance
19 and Bill of Rights Act, ~~section 102(5)~~, as codified in 42
20 U.S.C. ~~§ 6001(5)~~ §15002. The department shall adopt rules
21 establishing procedures for determining whether a child has a
22 developmental disability.

23 Sec. 172. Section 225C.47, subsection 1, paragraph b, Code
24 2014, is amended to read as follows:

25 *b.* "*Individual with a disability*" means an individual who is
26 less than twenty-two years of age and meets the definition of
27 developmental disability in 42 U.S.C. ~~§ 6001~~ §15002.

28 Sec. 173. Section 229.22, subsection 5, Code 2014, is
29 amended to read as follows:

30 5. The department of public safety shall prescribe the form
31 to be used when a law enforcement agency desires notification
32 under this section from a facility or hospital prior to
33 discharge of a person admitted to the facility or hospital and
34 for whom an arrest warrant has been issued or against whom
35 charges are pending. The form shall be consistent with all

1 laws, regulations, and rules relating to the confidentiality or
2 privacy of personal information or medical records, including
3 but not limited to the federal Health Insurance Portability
4 and Accountability Act of 1996, Pub. L. No. 104-191, and
5 regulations promulgated in accordance with that Act and
6 published in 45 C.F.R. pts. ~~160-64~~ 160-164.

7 Sec. 174. Section 249A.3, subsection 12, Code 2014, is
8 amended to read as follows:

9 12. In determining the eligibility of an individual for
10 medical assistance, the department shall consider income or
11 assets relating to trusts or similar legal instruments or
12 devices established on or before August 10, 1993, as available
13 to the individual, in accordance with the federal Comprehensive
14 Omnibus Budget Reconciliation Act of ~~1986~~ 1985, Pub. L. No.
15 99-272, § 9506(a), as amended by the federal Omnibus Budget
16 Reconciliation Act of 1986, Pub. L. No. 99-509, § 9435(c).

17 Sec. 175. Section 249F.1, subsection 2, paragraph b,
18 subparagraphs (7) and (8), Code 2014, are amended to read as
19 follows:

20 (7) Transfers to a trust established solely for the benefit
21 of the transferor's child who is blind or permanently and
22 totally disabled as defined in the federal Social Security Act,
23 section 1614, as codified in 42 U.S.C. ~~§ 1382b~~ §1382c.

24 (8) Transfers to a trust established solely for the benefit
25 of an individual under sixty-five years of age who is disabled,
26 as defined in the federal Social Security Act, section 1614, as
27 codified in 42 U.S.C. ~~§ 1382b~~ §1382c.

28 Sec. 176. Section 321.12, subsection 4, Code 2014, is
29 amended to read as follows:

30 4. The director shall not destroy any operating records
31 pertaining to arrests or convictions for operating while
32 intoxicated, in violation of section 321J.2 or operating
33 records pertaining to revocations for violations of section
34 321J.2A, except that a conviction or revocation under section
35 321J.2 or 321J.2A that is not subject to 49 C.F.R. § pt. 383

1 shall be deleted from the operating records twelve years after
2 the date of conviction or the effective date of revocation.
3 Convictions or revocations that are retained in the operating
4 records for more than twelve years under this subsection shall
5 be considered only for purposes of disqualification actions
6 under 49 C.F.R. § pt. 383.

7 Sec. 177. Section 321.450, subsection 1, Code 2014, is
8 amended to read as follows:

9 1. A person shall not transport or have transported or
10 shipped within this state any hazardous material except in
11 compliance with rules adopted by the department under chapter
12 17A. The rules shall be consistent with the federal hazardous
13 materials regulations adopted under United States Code, Tit.
14 49, and found in 49 C.F.R. § pts. 107, 171 to 173, 177, 178, and
15 180.

16 Sec. 178. Section 325A.6, Code 2014, is amended to read as
17 follows:

18 **325A.6 Insurance.**

19 All motor carriers subject to this chapter shall have
20 minimum insurance coverage which meets the limits established
21 in the federal motor carrier safety regulations in 49 C.F.R.
22 ~~ch.~~ pt. 387.

23 Sec. 179. Section 327J.1, subsection 1, Code 2014, is
24 amended to read as follows:

25 1. "AMTRAK" means the national railroad passenger
26 corporation created under 45 U.S.C. ~~§ 541~~ §24101.

27 Sec. 180. Section 459A.102, subsections 19 and 28, Code
28 2014, are amended to read as follows:

29 19. "Operating permit" means a permit which regulates
30 the operation of an open feedlot operation as issued by the
31 department or the United States environmental protection
32 agency, including as provided in state law or pursuant to the
33 federal Water Pollution Control Act, ~~Tit. 33,~~ U.S.C. ch. 26, as
34 amended, and 40 C.F.R. pt. 122.

35 28. "Waters of the United States" means the same as defined

1 in 40 C.F.R. ~~pt. 122, § 2~~ §122.2, as that section exists on
2 July 1, 2005.

3 Sec. 181. Section 502.304A, subsection 3, paragraph c, Code
4 2014, is amended to read as follows:

5 c. The issuer or a broker-dealer offering or selling the
6 securities is not or would not be disqualified under rule 505,
7 17 C.F.R. ~~§ 230.505(2)(iii)~~ §230.505(b)(2)(iii), adopted under
8 the federal Securities Act of 1933.

9 Sec. 182. Section 513B.13, subsection 8, paragraph f, Code
10 2014, is amended to read as follows:

11 f. Premium rates charged for reinsurance by the program to
12 a health maintenance organization that is federally qualified
13 under 42 U.S.C. ~~§ 300e(c)(2)(A)~~ §300e(c)(2)(A), and is thereby
14 subject to requirements that limit the amount of risk that may
15 be ceded to the program that are more restrictive than those
16 specified in paragraph "d", shall be reduced to reflect that
17 portion of the risk above the amount set forth in paragraph "d"
18 that may not be ceded to the program, if any.

19 Sec. 183. Section 513B.13, subsection 11, paragraph b,
20 subparagraph (4), Code 2014, is amended to read as follows:

21 (4) Subject to the approval of the commissioner, the
22 board shall make an adjustment to the assessment formula for
23 reinsuring carriers that are approved health maintenance
24 organizations which are federally qualified under 42 U.S.C.
25 ~~§ 300~~ §300e et seq., to the extent, if any, that restrictions
26 are placed on them that are not imposed on other small employer
27 carriers.

28 Sec. 184. Section 514I.2, subsection 9, Code 2014, is
29 amended to read as follows:

30 9. "*Health insurance coverage*" means health insurance
31 coverage as defined in 42 U.S.C. ~~§ 300gg-91~~ §300gg-91.

32 Sec. 185. Section 515.35, subsection 4, paragraph a, Code
33 2014, is amended to read as follows:

34 a. *United States government obligations.* Obligations
35 issued or guaranteed by the United States or an agency or

1 instrumentality of the United States. Bonds or other evidences
 2 of indebtedness issued, assumed, or guaranteed by the United
 3 States of America, or by any agency or instrumentality of the
 4 United States of America include investments in an open-end
 5 management investment company registered with the federal
 6 securities and exchange commission under the federal Investment
 7 Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq., and
 8 operated in accordance with 17 C.F.R. § 270.2a-7, the portfolio
 9 of which is limited to the United States government obligations
 10 described in this paragraph "a", and which are included in the
 11 national association of insurance commissioners' securities
 12 valuation office's United States direct obligation - full faith
 13 and credit list.

14 Sec. 186. Section 518.14, subsection 4, paragraph a, Code
 15 2014, is amended to read as follows:

16 *a. United States government obligations.* Bonds or other
 17 evidences of indebtedness issued, assumed, or guaranteed by the
 18 United States of America, or by any agency or instrumentality
 19 of the United States of America, including investments in an
 20 open-end management investment company registered with the
 21 federal securities and exchange commission under the federal
 22 Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq.,
 23 and operated in accordance with 17 C.F.R. § 270.2a-7, the
 24 portfolio of which is limited to the United States obligations
 25 described in this paragraph, and which are included in the
 26 national association of insurance commissioners' securities
 27 valuation office's United States direct obligation - full faith
 28 and credit list.

29 Sec. 187. Section 518A.12, subsection 4, paragraph a, Code
 30 2014, is amended to read as follows:

31 *a. United States government obligations.* Bonds or other
 32 evidences of indebtedness issued, assumed, or guaranteed by the
 33 United States of America, or by any agency or instrumentality
 34 of the United States of America, including investments in an
 35 open-end management investment company registered with the

1 federal securities and exchange commission under the federal
2 Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1 et seq.,
3 and operated in accordance with 17 C.F.R. § 270.2a-7, the
4 portfolio of which is limited to the United States obligations
5 described in this paragraph, and which are included in the
6 national association of insurance commissioners' securities
7 valuation office's United States direct obligation - full faith
8 and credit list.

9 Sec. 188. Section 524.901, subsection 4, Code 2014, is
10 amended to read as follows:

11 4. A state bank may invest without limit in the shares or
12 units of investment companies or investment trusts registered
13 under the federal Investment Company Act of 1940, 15 U.S.C.
14 ~~§ 80a~~ §80a-1 et seq., the portfolio of which is limited to
15 United States investment securities described in subsection
16 3 or repurchase agreements fully collateralized by United
17 States investment securities described in subsection 3, if
18 delivery of the collateral is taken either directly or through
19 an authorized custodian and the dollar-weighted average
20 maturity of the portfolio is not more than five years. All
21 other investments by a state bank in the shares or units of
22 investment companies or investment trusts registered under
23 the federal Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~
24 §80a-1 et seq., whose portfolios exclusively contain investment
25 securities permissible pursuant to subsections 2 and 3, shall
26 not exceed fifteen percent of the state bank's aggregate
27 capital.

28 Sec. 189. Section 535.2, subsection 2, paragraph a,
29 subparagraph (4), Code 2014, is amended to read as follows:

30 (4) A domestic or foreign corporation, and a real estate
31 investment trust as defined in section 856 of the Internal
32 Revenue Code, and a person purchasing securities as defined
33 in chapter 502 on credit from a broker or dealer registered
34 or licensed under chapter 502 or under the federal Securities
35 Exchange Act of 1934, 15 U.S.C., ch. 78A §78a et seq., as

1 amended.

2 Sec. 190. Section 535.12, subsection 4, Code 2014, is
3 amended to read as follows:

4 4. As used in this section, "*agricultural credit*
5 *corporation*" means a corporation which has been designated by
6 the farm credit bank of Omaha, Nebraska, as an agricultural
7 credit corporation eligible to sell or discount loans to that
8 bank pursuant to 12 U.S.C. ~~§ 2074~~ § 2075.

9 Sec. 191. Section 551A.3, subsection 3, paragraph b, Code
10 2014, is amended to read as follows:

11 b. A disclosure document prepared pursuant to the federal
12 trade commission rule relating to disclosure requirements and
13 prohibitions concerning franchising and business opportunity
14 ventures in accordance with 16 C.F.R. ~~§~~ pt. 436 or any
15 successor regulation.

16 Sec. 192. Section 551A.4, subsection 1, paragraph b,
17 subparagraph (1), subparagraph division (b), Code 2014, is
18 amended to read as follows:

19 (b) A disclosure document prepared pursuant to the federal
20 trade commission rule entitled "Disclosure requirements and
21 prohibitions concerning franchising and business opportunity
22 ventures", 16 C.F.R. ~~§~~ pt. 436 or any successor regulation.

23 Sec. 193. Section 602.8103, subsection 5, paragraph b, Code
24 2014, is amended to read as follows:

25 b. An open-end management investment company organized in
26 trust form registered with the federal securities and exchange
27 commission under the federal Investment Company Act of 1940,
28 15 U.S.C. ~~§ 80a~~ § 80a-1 et seq., and operated in accordance
29 with 17 C.F.R. § 270.2a-7, the portfolio of which is limited
30 to obligations of the United States of America or agencies
31 or instrumentalities of the United States of America and to
32 repurchase agreements fully collateralized by obligations of
33 the United States of America or an agency or instrumentality
34 of the United States of America if the investment company
35 takes delivery of the collateral either directly or through an

1 authorized custodian.

2 Sec. 194. Section 636.23, subsections 2 and 16, Code 2014,
3 are amended to read as follows:

4 2. *Federal bank bonds.* Bonds, notes or other obligations
5 issued by any federal land bank, federal intermediate credit
6 bank, bank for cooperatives, or any or all of the federal farm
7 credit banks, and in bonds issued by any federal home loan
8 bank under the Act of Congress known and cited as the federal
9 Home Loan Bank Act, {12 U.S.C. § 1421 - 1449} and the Acts
10 amendatory thereof.

11 16. *Investments included — government obligations.* Federal
12 bonds, federal bank bonds, and bonds and debentures guaranteed
13 by the federal government which are authorized investments
14 under subsections 1, 2, and 11 include investments in an
15 investment company or investment trust registered under the
16 federal Investment Company Act of 1940, 15 U.S.C. ~~§ 80a~~ §80a-1
17 et seq., the portfolio of which is limited to the United States
18 government obligations described in subsections 1, 2, and 11
19 and to repurchase agreements fully collateralized by such
20 United States government obligations, if the investment company
21 or investment trust takes delivery of the collateral either
22 directly or through an authorized custodian.

23 Sec. 195. Section 714B.10, subsection 2, Code 2014, is
24 amended to read as follows:

25 2. Advertising in connection with the sale or purchase of
26 books, recordings, videocassettes, periodicals, and similar
27 goods through a membership group or club which is regulated by
28 the federal trade commission pursuant to 16 C.F.R.—~~pt.~~ §425.1,
29 concerning use of negative option plans by sellers in commerce.

30 Sec. 196. Section 907B.2, subsection 6, paragraph f,
31 unnumbered paragraph 1, Code 2014, is amended to read as
32 follows:

33 Public notice shall be given of all meetings and all
34 meetings shall be open to the public, except as set forth
35 in the rules or as otherwise provided in the compact. The

1 interstate commission shall promulgate rules consistent with
2 the principles contained in the federal Government in the
3 Sunshine Act, 5 U.S.C. ~~§ 552(6)~~ §552(a)(6), as may be amended.
4 The interstate commission and any of its committees may close a
5 meeting to the public where it determines by two-thirds vote
6 that an open meeting would be likely to:

7 DIVISION IV

8 EFFECTIVE DATE AND APPLICABILITY PROVISIONS

9 Sec. 197. EFFECTIVE UPON ENACTMENT. The following
10 provisions of division I of this Act, being deemed of immediate
11 importance, take effect upon enactment:

12 1. The section of this Act amending section 384.3A.

13 2. The section of this Act amending 2013 Iowa Acts, ch. 24,
14 section 13.

15 3. The section of this Act amending section 456A.38,
16 subsection 4, as enacted by 2013 Iowa Acts, ch. 64, section 1.

17 4. The section of this Act amending 2013 Iowa Acts, ch. 125,
18 section 25.

19 Sec. 198. RETROACTIVE APPLICABILITY. The section in
20 division I of this Act amending section 384.3A applies
21 retroactively to June 20, 2013.

22 Sec. 199. RETROACTIVE APPLICABILITY. The section in
23 division I of this Act amending 2013 Iowa Acts, ch. 24, section
24 13, applies retroactively to July 1, 2013.

25 Sec. 200. RETROACTIVE APPLICABILITY. The section in
26 division I of this Act amending section 456A.38, subsection
27 4, as enacted by 2013 Iowa Acts, ch. 64, section 1, applies
28 retroactively to July 1, 2013.

29 Sec. 201. RETROACTIVE APPLICABILITY. The section in
30 division I of this Act amending 2013 Iowa Acts, ch. 125,
31 section 25, applies retroactively to January 1, 2013, for tax
32 years beginning on or after that date.